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Volume III] *October, 1897* [*Number 1*

The American Historical Review

THE PRUSSIAN CAMPAIGN OF 1758, I.[1]

[The following pages contain the last historical work of the late Herbert Tuttle, Professor of Modern European History in Cornell University. Shortly after his untimely death, Houghton, Mifflin and Co. published what was thought to be all that the deceased historian had completed of his *History of Prussia*. It seems, however, that this was not the case. When Professor Tuttle left Ithaca for the last time for Clifton Springs, in 1894, he packed up with several books the manuscript on which he had last been working, in the hope that his health would permit him to continue his labors. Mrs. Tuttle was unaware of this and entrusted to the publishers only the completed chapters that appeared in book form with a sympathetic memoir by Professor Herbert B. Adams. The chapter now presented to the readers of the American Historical Review, and presenting an account of the campaign of 1758, extending to October, bears characteristic marks of the ripe knowledge and scholarly workmanship which made Professor Tuttle's *History of Prussia* the best authority in the English language upon the subject. Special mention should be made of the care he displayed in examining the primary sources of the period. He went to the expense of having copied for him in London much of the correspondence of the Duke of Newcastle, which is preserved in the British Museum and the importance of which has only recently been made known to students of the history of the eighteenth century. The love of truth, grasp of the period and minute care to assure correctness of detail, which distinguished all the work of the historian of Prussia, show no diminution in the last paragraphs that came from his hand. The editors of the American Historical Review hereby express their gratitude to Mrs. Mary McArthur Tuttle for her kindness in permitting them to publish in its pages the last contribution to history made by her accomplished husband.]

H. Morse-Stephens.

If the year 1757 was remarkable for the tardy close, the following year was not less remarkable for the early opening of hostilities,

[1] Copyright, 1897, by Mary McArthur Tuttle.

so that the period of general rest was short. It was quite in the fitness of things too that the Russians, who were then the first to retire, should now be the first to begin. Apraxin's successor, General Fermor, like Apraxin himself, was not a man from whom much was expected by those who knew the scale of military reputations at the Russian capital; but his sovereign's orders were now imperative, his troops were hardened to severe weather, and in the middle of January he marched upon the capital of Preussen at the head of thirty thousand men. No opposition was made to his progress. Lehwaldt was in Pomerania; and as all available resources were needed for defending the rest of his dominions, Frederic now dropped Preussen, as he had before dropped the western provinces, out of his system of operations. The few battalions of militia fled on the approach of the enemy, and on the twenty-second of January Fermor made his triumphant entry into Königsberg. The leading magnates were notified that by the law of conquest the dominion of the province was transferred to the empress of the Russias. In harmony with this fiction the cruel policy of plunder and destruction observed by Apraxin the year before was abandoned for one of conciliation; the people were promised the maintenance of their laws and institutions; strict discipline was enforced; and Frederic refused to forgive his subjects of Preussen for the apparent ease with which they accepted the yoke of the invader. He never again set foot in the province.[1]

While Fermor paused for rest after this arduous achievement the fires of war were suddenly lighted in another part of the field; the signal gun from Preussen was answered on the plains of Hanover. During the winter a change again took place in the chief command of the French army. Marshal Richelieu went back to Paris laden with spoils if not with glory;[2] and in his place came, in February, the Count of Clermont, a man in clerical orders, with little or no military talent, but a prince of the house of Bourbon, and a favorite at the court of Versailles. In the hour of his disgrace French satire wrote and French urchins sang in the streets that he preached like a soldier and fought like a priest.[3] But among his many faults too great confidence was evidently not one. His first reports were full of complaints about the bad condition of the army, the inadequate quarters, the deficient supplies, about the hospitals crowded with sick, and the rosters glaring with falsehood;[4] and other ac-

[1] See Preuss, II. 161, 162.

[2] Barbier, VII. 16, 17, gives the amount of debts which he paid from the proceeds of his campaign at 1,110,000 livres.

[3] Il prêche comme un soldat
Et se bat comme un apôtre.

[4] Clermont to Paulmy, 18 February 1758, printed by Stuhr, ii. Beilage, pp. 423–426.

counts confirm his description in all its sombre details. In the rival army the interval had been used for reform and preparation, so that by the middle of February Prince Ferdinand had over thirty thousand men, including fifteen squadrons of Prussian cavalry sent by Lehwaldt from Pomerania, ready for service in the field. Prince Henry undertook to make a diversion from the side of Halberstadt. Thus prepared, Ferdinand's plan was to force the enemy out of their positions along the Weser, to give battle if they showed fight, and to drive them if possible across the Rhine. The attempt succeeded perhaps even beyond his own expectation. By a wise strategy, a bold demeanor, prompt movements, and an unflagging energy Ferdinand forced the enemy out of their positions in Brunswick and Hanover; frustrated all their attempts, which were indeed feeble enough, to make a stand; carried one after another the strategic towns where they had left garrisons on their original invasion; and thus steadily rolled back their line toward the Rhine itself, behind which they retired, near Wesel, in the first days of April. The greater part of Soubise's corps was also swept along by the current, and crossed the same river in the vicinity of Düsseldorf. Even East Friesland was evacuated by the French, so great was the panic.

These repeated disasters of France in the field had a momentous and far-reaching effect upon her relations with Russia. It is hard indeed to define these relations during the first part of the Seven Years' War in the terms of modern diplomacy. Though the two powers were nominally enlisted on the same side, they were not allies and scarcely even friends; for after ten years of alienation some constraint of course remained, no direct treaty bound them together, and the Polish question even held them apart. Hence the two courts of Vienna and Versailles looked on the Russian participation with different eyes. The empress-queen welcomed it with an open heart and few reserves; agreed to the cessions of territory demanded in return; and seemed to acquiesce in the policy of Elizabeth at Warsaw. But what Austria welcomed as a positive good France barely tolerated as a necessary evil. Louis himself and his ministers watched the progress of the Russian arms therefore with mixed feelings of delight and doubt: delight, because it weakened Frederic of Prussia, the common foe; doubt, because it increased at the cost of France the influence of Russia in Poland. But French statesmen were not agreed upon the extent to which their attitude toward Russia ought to be affected by their policy at Warsaw. Bernis and Stainville, the chief representatives of the official diplomacy, agreed in making the Russian alliance first in the order of

importance. Count Broglie and those who were admitted to the secret correspondence insisted, on the other hand, that a complete reconciliation with Russia would be suicidal; that a jealous distrust should mark all relations with that court; and that the ancient maxims of French statecraft, which aimed to support Poland and Turkey as barriers against Muscovite ambition, should be maintained in all their integrity. Between these two extremes Louis himself wavered, inclining now toward one side, now toward the other. Before Rossbach he gave some support to Broglie, looked with alarm upon the presence of the Russian army in Poland, and even procured from Brühl and Elizabeth the dismissal of Poniatowski, whose influence over Catherine was held to be full of danger. If the French had won at Rossbach, they would doubtless have assumed a still bolder tone. But the defeat shattered the prestige of their arms, and when Leuthen followed, the need of active aid from Russia became so urgent that the double policy was for a time suspended. By the assent of Louis the lover of Catherine was restored to her arms, a private correspondence was begun between the two monarchs and Count Broglie left Poland in disgust. For a time Louis seemed to acquiesce in the sway of Russian influence at Warsaw; and in spite of occasional attempts afterwards, that of France was never fully regained. On these events certain French writers base a bold yet mournful generalization. It is possible, they suggest, to take the humiliating defeat at Rossbach as the starting-point in that series of blunders and crimes which led to the extinction of Poland, the gradual dismemberment of the Ottoman Empire, and the rise of Russia on the ruins of both.[1] Next in the sad procession came the retreat of Richelieu from the Elbe, and now Clermont had added a fresh disgrace by his wild flight across the Rhine.

At this time, however, the relations of both France and Austria with the court of St. Petersburg were put on a better footing, and Frederic's enemies were filled with new hopes, by the overthrow of Bestuschef. The papers of Apraxin revealed, so it was reported, the chancellor's connection with treasonable plots;[2] and on the twenty-fifth of February, 1758, he was placed under arrest in his own house. A special tribunal found him guilty of the charge and recommended the penalty of death, which, however, Elizabeth commuted to a species of exile. He was stripped of all his titles and honors, banished to his estates in the country, and ordered to remain there during the pleasure of the empress. His office was

[1] See, *e. g.*, Broglie, *Secret du Roi*, I. 292.

[2] See Esterhazy's reports printed by Schaefer, II. 544 seq., and that of the English ambassador in Raumer, II. 456.

turned over to the vice-chancellor, Woronzof, a less able and ambitious man, but more agreeable to the courts of Vienna and Versailles.

The fall of Bestuschef was undoubtedly connected with the retreat of Apraxin after the battle of Gross-Jägersdorf, but just where the point of connection lay is still an unsolved problem. It is true that a well-defined theory, which modern historians have generally accepted, makes the marshal's singular movement the result of positive orders from the chancellor,[1] who needed the army for the support of a daring scheme that he had formed. The empress was ill, mortally ill it was supposed. Bestuschef's scheme was to anticipate her death by a *coup d' état*, which should exclude the Grand Duke Peter from the throne, and proclaim the young prince who was Catherine's son, if not her husband's, as emperor, with Catherine herself as regent during his minority. When Peter learned of this plot to rob him of his expected heritage he sought the Austrian ambassador, who advised him to appeal to Elizabeth. The result was the arrest and condemnation of the chancellor; and soon afterwards Catherine herself, seeing that the game was lost, threw herself at the feet of the empress, made a full confession and was restored to favor, while the unlucky Bestuschef went into exile. But the general theory thus outlined had many minor shades or varieties, and is not yet supported by evidence which a historian can regard as conclusive. Masslowski absolutely rejects that very essential part of it which concerns the retreat of Apraxin. The statement generally made at the time and embodied in the reports of the foreign envoys,[2] that Apraxin's papers betrayed the minister, is also perhaps subject to some qualification. The reports of Esterhazy seem to show that the worst documents were found among Bestuschef's own papers after his arrest, not among those of the marshal;[3] and the Saxon secretary of legation at St. Petersburg asserts that he saw the mysterious writings, and that they were revealed by the chancellor himself before his arrest, and that while they suggested a secret and irregular connection with Peter and Catherine, they also showed that he used his influence with them, and their influence with Apraxin, to animate not to paralyze the campaign in Preussen.[4] But Prasse's testimony is that of a man

[1] Esterhazy in his report 25 April 1758, printed by Schaefer, II., i. Beilage, p. 545, is positive on this point. Schaefer gives other extracts from the reports of the Austrian ambassador.

[2] By the English ambassador, for example, 14 March 1758. Raumer, II. 456.

[3] Schaefer, *ubi supra*.

[4] This is confirmed by Bilbassof, *Geschichte Katharinas II.*, German translation by Pezold, I. 415 seq., who brings out the conclusive fact that Elizabeth's sudden illness occurred *after* Apraxin's council of war had advised a retreat and orders had been issued accordingly.

who still believed in Bestuschef, and in his bewilderment he suggests that the whole intrigue was a trap set for him by the French and Austrian ambassadors.[1] This also was a favorite theory in the gossip of the time. But a French writer of weight states positively that L'Hôpital, though instructed often in a sense unfriendly to the grand chancellor, became convinced of his good faith and contributed nothing to his overthrow; and Arneth renders a similar verdict of acquittal for Esterhazy, in which he has the support of Kaunitz himself.[2] What then was the secret of the powerful minister's fall? In view of the contradictory rumors and statements it is perhaps safest to answer that in all probability it was not any single act, or the discovery of any specific treason; it is rather to be sought in the tardy revolt of the empress against the authority of a man who had been guilty of many suspicious measures, who was notoriously corrupt and whose fall the allied courts earnestly desired. She had meditated his dismissal at the time of the treaty of Westminster between Prussia and England. The retreat of Apraxin, of which France and Austria bitterly complained, strengthened her suspicions; and the written evidence of Bestuschef's intrigues with the "young court" completed her aversion, and nerved her to act.[3]

Frederic himself received the news from St. Petersburg with calmness or even indifference. Experience had taught him that the chancellor was a frail reed on which to lean, and he was now more than ever convinced that the sword would have to decide.[4] Notwithstanding the terrible losses of the year, he hoped to begin the next campaign with not less than two hundred thousand men, including sixty thousand garrison troops, part of whom could, however, render some service in the field.[5] The cantonal system of inland levies was enforced with the utmost rigor, and all material which this left untouched was reaped as an aftermath by the provincial militia organizations. Recruiting in the free cities of the Empire and in foreign countries was still kept up, though naturally

[1] Herrmann, *Gesch. Russlands*, V. 216 seq.

[2] Vandal, *Louis XV. et Élisabeth de Russie*, p. 322; Arneth, V. 286. But cf. L'Hôpital to Bernis, 30 November 1757, where the French ambassador reports on the authority of Esterhazy himself very direct and earnest appeals made by him (Esterhazy) to the empress to dismiss Bestuschef. *Recueil des Instructions, Russie*, II. 70.

[3] On Elizabeth's threats and promises respecting Bestuschef see Esterhazy, 20 January 1758, *apud* Arneth, V. 284, 285, and L'Hôpital, 29 January 1758, *apud* Vandal, p. 321 n.

[4] Frederic to Prince Henry, 13 March 1758. To Sir Robert Keith, the new English minister to St. Petersburg, who visited Breslau on his way to his post, Frederic cynically insisted that money was the only effective agent in Russia. *Pol. Cor.*, XVI. 230. Cf. Keith's report 30 March 1758, *apud* Mahon, *Hist. of Eng.*, V., App., p. xxii.

[5] Schaefer, II. i. 62.

with many drawbacks. One Colonel Collignon had charge of this business under a contract with the king; and he in turn employed a set of sub-contractors, whose zeal was sharpened and whose scruples were dulled by the bounty of ten thalers a head paid to them for recruits.[1] For the loss finally of the usual contingents from Preussen and the Rhenish provinces an equivalent was found in Saxony, where the conscription was applied with cruel, not to say vindictive, severity. In meeting the financial problem there was the same mixture of heroic measures with measures that were desperate and unscrupulous. No tax was increased in rate, and no loan contracted.[2] But the screws of economy were sternly applied in every branch of the government; the officials were paid in depreciated paper; and debased coins continued to pour out of the mints. The Saxons suffered even more of course under Frederic's policy than his own people. In addition to the ordinary revenues, which were administered with an iron hand, frequent special contributions were levied on cities or districts of the electorate until the cries of the unhappy victims were heard in every part of Europe. The same policy was early introduced in Mecklenburg, and enforced with the same harshness, though with somewhat less regularity, and on a smaller scale.

Yet the winter at Breslau, though one of hard work and much anxiety, was also not without its brighter features. The great victories of Rossbach and Leuthen formed a source of inspiration under which the king's pen was unusually active, turning out a vast amount and a wide variety of literary productions. A critical reader will wisely omit the diatribes which Frederic aimed at Soubise and Daun, though there are few odder things in history than the spectacle of this grim soldier following with volleys of flippant verse the rivals whom he had just defeated in battle.[3] Not much can be said for the stilted rhymes in which Ferdinand of Brunswick is congratulated on his success against the French.[4] But a much finer note was struck in a long ode to Wilhelmina. Its subject was the firmness and constancy of the princess during her brother's cruel trials; and although it has no place, of course, among the great products of the imagination, its sentiments are noble, and the verse moves

[1] This was paid by Collignon out of the fifteen thalers which he received. Retzow, II. 187 n.

[2] Unless indeed the capitalization of the scutage due from the nobility can be called a loan—a device to which recourse was again had, as in the earlier wars. See *Hist. of Prussia*, III. 86, 87.

[3] They are entitled respectively "Aux Écrasseurs" and "Congé de l'armée impériale et du maréchal Daun."

[4] Ode au Prince F. de Brunsvic sur la retraite des Français en 1758.

with a dignity which at times is not unimpressive.[1] In the intervals of work there was also much social gaiety, and much entertaining of guests. The king's sister Amelia and his two nieces of Schwedt shed their bright presence for a time upon the grim surroundings; D'Argens brought his good sense and good humor to the headquarters; and others came to join the balls and suppers, the concerts and readings, by which the long months were relieved. Indeed, Frederic's letters show that, with many changes of mood, his general inclination throughout the winter was to take a cheerful view of affairs. He often wrote about the coming peace; and a peace with some kind of solid compensation for Prussia was not quite foreign to his thoughts.[2]

Alike for Frederic and for Frederic's enemies, the most important event of this period was, however, the completion of a firmer union between Prussia and England. It was brought about very slowly, with much difficulty, and after not a little cross-play between the two courts. We have seen how his desperate situation in the summer of 1757, the duplicity of the Hanoverian ministers, and the irresolute conduct of England led the king to make, through several channels, secret overtures for peace with France; and in November, after Rossbach, these efforts were resumed. The new agent was a certain Count Mailly, a French officer taken prisoner in the battle. Released on parole by Frederic, he was commissioned to make inquiries at Paris about the disposition to peace with Prussia;[3] but he was met by the flat refusal of Louis to negotiate except in concert with his allies, and Frederic seems to have treated this refusal as final.[4] The various intrigues, of which this was the latest, could not well have been carried on in secrecy, since it was the direct interest of France, at least, to divulge them. Even before the release of Mailly, Frederic had been compelled to calm the suspicions of England. He met them disingenuously indeed by referring Mitchell simply to the unratified agreement with Richelieu about Halberstadt, ignoring the other and more ambitious

[1] Épître à ma soeur de Baireuth, 28 December 1757. All of these are in Vol. XII. of the *Oeuvres de Frédéric*.

[2] Evidence of this appears, *e. g.*, in Frederic to Knyphausen, 26 April and 21 May 1758, in both of which the envoy is confidentially instructed to get the sentiments of the English court on the "advantages" to be accorded Prussia at the peace. Cf. R. Koser, in the *Forschungen zur Brand. und Pr. Geschichte*, II. 257. Knyphausen, it should be explained, had lately been sent to London as a special envoy to reinforce without exactly superseding Mitchell.

[3] See Frederic to Prince Henry and Eichel to Finckenstein, 19 November 1757.

[4] See Mailly's report of Louis's answer, 30 January 1758, in *Pol. Cor.*, XVI. 307 n; Frederic to Prince Henry, 25 February 1758. Prince Henry was a sort of go-between in the business, which Frederic probably never regarded as very promising.

schemes which he had set on foot at Paris. But in the same interview he agreed positively to conclude no separate peace, if George II. would make a similar promise.[1] This declaration was, however, not so much an announcement of new conditions, or a sudden outburst of good faith, as a statement of relations brought about by recent military events, by the revived energy of England, by the rupture of the convention of Closter-Zeven and by official assurances of the London cabinet. But since a general peace was impossible, and separate overtures were forbidden, nothing remained except to continue the war. Hitherto England had failed to do her part with vigor; weak statesmanship went hand in hand with bad generalship; and Frederic had borne the brunt of the fight. Now there was at least a man of firmness at the helm, and this suggested the rest. The problem for Frederic was to turn that man in the proper direction, to convince him that America was not the world, to lead him toward a full co-operation in the war on the continent.

The speech from the throne at the opening of parliament, and the earnest words ascribed to Pitt in the reports of the debate on the address, are proof that as to the principle his conversion was now nearly complete.[2] But this was only an initial victory. The details of co-operation for the coming campaign yet remained to adjust, and these proved to be stubborn and difficult. Pitt and his colleagues seemed almost to ignore the overwhelming military problems which confronted Frederick himself in their reiterated demands for Prussian troops to serve in Hanover. But Frederic was almost equally indifferent to the fact that England was at war with France in North America, in the West Indies, in Asia and on the high seas, as well as in Germany; and that instead of concentrating she had to distribute her resources. Technically he was doubtless right in denouncing her failure to send a fleet into the Baltic. But not otherwise; for in the interval since that project was broached, and, as Frederic held, adopted, the progress of the French arms in India and America had changed the situation, and made new demands both upon the army and upon the navy of England.[3] Pitt had

[1] Mitchell's report, 9 November 1757. *Pol. Cor.*, XVI. 15, 16. Two or three days later Frederic writes to Wilhelmina, "depuis les derniers arrangements que je viens de prendre avec les Anglais, il m'est impossible de faire une paix séparée." Ibid., p. 23.

[2] 1 December 1757. A version of Pitt's speech is given by H. Walpole, *Mem. of Geo. II.*, III. 88–90. Cf. Frederic to Mitchell, 19 December 1757.

[3] This excuse was given to Frederic, and once at least he made in reply the complaint that the real reason must be a reluctance to offend Russia. Mitchell, 9 February 1758. *Pol. Cor.*, XVI. 228, 229. Is there perhaps the germ of a famous saying of Pitt's in the king's remark as reported by Mitchell: "The way to save America is not to suffer the French to become masters of Europe"?

therefore to redress the errors of his predecessors before he could adopt a positive and aggressive policy of his own. But there is another consideration which weighs in Frederic's favor. He was fighting in self-defence; England for conquest. He aimed only to save the political and territorial integrity of Prussia, and had, originally at least, no further designs. But Pitt had imperial views. He planned the expansion of England, the enlargement of her domains in every part of the world, her supremacy on the ocean; and rejecting the maxims of Walpole for those of William III., he made the defeat and humiliation of France a leading end in itself.[1] From an English point of view this was a defensible and perhaps a wise statesmanship. It may be said too that Frederic's own record gave him no right to expect that moral distinctions would be weighed very nicely in his behalf. But there was a difference between allies, one of whom was fighting for his very life against powerful enemies on every side, while the other was pursuing, or preparing to pursue, grand dreams of conquest; and in the consideration of the rival demands which each made upon the other Frederic is entitled to have it taken into account.

Faults of temper and tact again made the difficulty greater than it intrinsically was. Frederic's tone had too much of the schoolmaster; and if Mitchell had faithfully reproduced it in his conversations with the ministers of the old, rich and powerful monarchy of England, they would have been not less amazed at the presumption of the margrave of Brandenburg than was Louis XV. a score of years before.[2] On purely military affairs Frederic's achievements clearly gave him the right to speak as an expert. Nobody denied that. But in the rank of princes age and pedigree still counted for something, and Frederic was in a situation where pride ought perhaps to have been made subordinate to policy. The English ministers seem for their part to have been sometimes wanting in delicacy, and to have given offense by the tone and manner even of their intended favors. The subsidy negotiations furnish a case in point. Frederic needed money, and England was willing, nay anxious, to furnish it. The amount, 670,000 pounds or 4,000,000 thalers, had been fixed without difficulty; yet the correspondence about the terms and conditions of the final treaty was prolonged over several

[1] Finckenstein reports, Berlin, 4 April 1758, an interview with the English general Yorke, in which the latter gave a very interesting description of Pitt and his relation to affairs. *Pol. Cor.*, XVI. 364 seq. Yorke had been sent out to replace Mitchell, and was on his way to headquarters. But the matter was adjusted, Mitchell remained at his post, and Yorke returned to the Hague.

[2] Frederic suspected that Mitchell was not a faithful reporter, and reprimanded him frequently. Thus, 18 February 1758, "vos relations sont d'un sécrétaire du sieur Pitt et non d'un envoyé du Roi."

months. Frederic hated both the word subsidy, and the thing itself. Obviously tact required the English government to treat the subject in a large and liberal manner; to make it easy for the king to suppress his pride; to cover its donation under the decent form of a contribution to the common cause; and not to bargain with the victor of Rossbach and Leuthen as with the petty master of a thousand German hirelings. But this wise, politic and natural discrimination failed. In return for the subsidy England insisted on the reinforcement of Ferdinand by a contingent of Prussian troops, and ignored the repeated demands for a British fleet in the Baltic. In his exasperation Frederic announced that he would not accept subsidies, though he had himself solicited them, from such a usurious power, and indulged himself in very strong language even against Pitt.[1] But he sent a small force to aid Ferdinand in his winter campaign; and this made a good impression in England, as had been intended. English troops were indeed still refused. The impossibility of dispatching a fleet to the Baltic was still maintained. But early in March the reasons for these decisions were set forth with so much frankness and cogency, both at London and at Berlin, and George II. promised such an augmentation of Ferdinand's army through Hanoverians, Hessians, and other German troops, that Frederic withdrew his opposition, and announced his willingness to conclude the treaty.[2] It was signed at London on the eleventh of April.

The preamble of the treaty declared its object to be the expulsion of the enemy from the territories of both parties, the defence of their allies, and the maintenance of the liberties of Germany. Then followed the four articles which formed the body of the instrument. The first contained the promise of the subsidy. By the second the king of Prussia engaged to use the money in supporting and enlarging his army for the benefit of the common cause. In the third the two powers gave mutual stipulations that neither would conclude any armistice, treaty of peace or of neutrality, except in conjunction with the other. The last article fixed the term for the exchange of ratifications. To the treaty itself was added a separate "Declaration" by the king of England, announcing some further pledges on his part. He undertook by means of subsidies to keep the allied army at a strength of fifty thousand, and to add five thousand more as elector of Hanover; to employ this force with the greatest energy in co-operation with the king of

[1] Thus to Mitchell: "I, who have said No to kings, am not to be dictated to by Mr. Pitt." Raumer, II. 447. Cf. *Pol. Cor.*, XVI. 253.

[2] Frederic to Mitchell, 10 March 1758.

Prussia; to occupy Embden with a British battalion, and to annoy the French by frequent descents on their coasts. The regret of the English government was expressed that it could not meet Frederic's wishes in the matter of the Baltic fleet; but this decision, so it was explained, was not inspired by consideration for any third power, meaning of course Russia. The friends and foes of one were the friends and foes of both, and England would change her tone at Stockholm and St. Petersburg whenever the king of Prussia should deem it advisable.[1] On the nineteenth of April Pitt laid the treaty before the House of Commons and defended his policy in a long and brilliant speech. It contained a glowing panegyric on the king of Prussia; insisted on the necessity of supporting him in the interests of England herself; announced that the single battalion which had been dispatched to Embden would be followed by others if need should arise; and made the significant declaration that Ferdinand's "army of observation" would, thenceforth, be an army of action.[2] The next day the appropriations called for by this convention, and the subsidy treaties, passed with only two or three dissenting votes.[3]

Before this treaty was signed Frederic had again taken the field, in execution of a plan at once novel and audacious. He stood between two enemies. The Austrians lay in Bohemia, inactive but expectant, while the Russians were pushing southward through Preussen, and across the neutral territory of Poland, toward the New Mark; so that it seemed necessary to attack and, if possible, defeat them separately before they could unite in overwhelming force. The Austrians were chosen for the first blow. But instead of marching directly upon them in their strong positions among the Bohemian mountains, the king decided on a diversion against Olmütz, in Moravia. The capture of this important city would have a great moral effect, would uncover the road to Vienna, and force Daun to leave his unassailable strongholds, in which case Prince Henry might have a chance against Prague from the side of Saxony. All these considerations were revolved in Frederic's mind, and discussed in his correspondence, during the early part of March. On the eleventh of that month he sent Prince Henry a full account of the plan.[4]

[1] Wenck, III. 173–178.

[2] From Knyphausen's report *apud* Schaefer, I. 566–568. The *Parl. Hist.*, XV. 783 seq., contains reports of two speeches, by members not named, which were evidently delivered in the course of this debate, but which are erroneously assigned to the debate of the early Anglo-Prussian treaty of January, 1756.

[3] The total amount as given in the *Annual Register*, 1758, p. 130, is £1,845,630. This measures practically the cost of the war for that year on the continent.

[4] *Pol. Cor.*, XVI. 303 seq. The departure of Soubise for the Rhine, and relief from danger on that side, made the task of the prince simpler. He had over 20,000 men.

The execution of this plan required, first of all, the recapture of the strong fortress of Schweidnitz, the only Silesian post of importance yet in Austrian hands. Frederic, with the bulk of his army near Landshut, covered the siege, which Daun made no attempt to break, but rather, in spite of Loudon's appeals and his own pledges, allowed to take its course; and after a short but brave defence of two weeks, the place surrendered on the sixteenth of April with five thousand prisoners. Then the rest of Frederic's plan unfolded itself. Carefully masking his real purpose, sending troops to reinforce Prince Henry and keeping up a show of movements in Daun's front, the king hastily led the rest of his forces in two columns into upper Silesia, and thence by way of Troppau and Jägerndorf into Moravia itself. On the fifth of May the Prussians halted before Olmütz.

Since the year 1742, when this city fell such an easy prey to Schwerin, its defensive strength had been much increased. New walls had been built at great expense, and with the best of engineering skill; the magazines had been enlarged; heavier guns had been mounted; and an ingenious system of sluices in the river March made it easy to flood the approaches to the town from the east.[1] Some nine thousand men were inside the place, with plenty of food and plenty of ammunition. As soon too as the Prussians approached, the general in command, Baron Marschall, made ready for defence by sending away the non-combatants, levelling the suburbs, arming the able-bodied citizens, and organizing all the resources of the city like a prudent and determined soldier. Yet it must have seemed no very difficult task to hold Olmütz until the very latest day when Daun, even using only ordinary diligence, should bring relief. The case was the more urgent too since the news of the invasion had spread consternation even to Vienna. Grave consultations were held, valuables were packed, and the empress-queen was urged to retire to Gratz, which she scornfully refused to do.[2]

The Fabius Cunctator of the Austrian army was, however, true to his own system of tactics. Long doubting, or professing to doubt, the seriousness of Frederic's design, he moved from Skalitz only on the third of May, and two days later fixed his headquarters at Leitomischl, fifty miles from Olmütz. From here he sent out small bodies of light troops under Loudon and Saint-Ignon to watch and harass the enemy. The latter even crossed the March to Prerau, a convenient point, either for observation or for action, and did excellent service on that side of the river. Two weeks

[1] W. Müller, *Geschichte der Hauptstadt Olmütz*, p. 222; Schaefer, II. 65.
[2] Arneth, V. 361.

later Daun moved to Gewitsch, and Loudon even occupied Konitz, still nearer. But in spite of Loudon's entreaties, the cautious field-marshal refused to give or accept battle, kept in impregnable positions, and allowed the siege to take its course. Frederic himself courted a decisive trial of arms. But he could not give all the odds, and the tactics of his adversary prescribed in effect his own. He found his army, loosely speaking, on the arc of a circle from Littau to Prossnitz, with the convex toward Daun, who could only reach the city from that side, the west, after a successful battle. Then an inner circle, drawn about the city itself, and commanded by Keith, formed the line of investment proper. The first parallel was opened on the twenty-eighth of May, and the siege guns began fire on the walls. For a whole month the bombardment continued. Although the engineers had miscalculated the distance, and many shots fell short, no little damage was done to the city and its defences. The duration and the fury of the cannonade against Olmütz were almost without a precedent.[1] The besieged, for their part, neglected no effort, however difficult and desperate. They worked their guns manfully; now and then a lucky shot exploded a powder magazine, or wrought disaster among the men in the trenches; while frequent sorties undid the work of laborious days, and delayed the progress of the siege. But Keith held to his task with patience and courage. The second parallel was opened on the sixth of June; and three weeks later, the third. The besiegers were now only two hundred yards from the wall. In expectation of an attempt by storm Marschall made preparations for throwing up barricades in the streets, and gave orders that the town should be defended from house to house, to the very last man.[2] But the assault never came. On the sixteenth of June Daun abandoned Gewitsch, and executed a skillful march, in a long circle and by difficult roads, to Predlitz, south of Olmütz; and on the twenty-seventh advanced due north to Prossnitz, on which one of Frederic's wings rested. He was thus in a position for decisive action either against the main Prussian army, or toward the city itself, should the case become urgent. His orders were to save the town at any cost, even the cost of a battle.[3]

The situation of Frederic had now become desperate. He had not foreseen the obstinate resistance of the garrison, and the effect of the bombardment was disappointing. The wily Daun, who refused open battle and shifted his troops through secret defiles from one

[1] According to the G. S., II. 180, the Prussians used 81 siege guns, 19 howitzers, and 16 mortars.

[2] Müller, p. 237.

[3] Arneth, V. 369.

unassailable position to another, was hemming him in ever more narrowly; his ammunition was melting away; and all his supplies had to be brought by long, difficult, and dangerous routes from Silesia. About the twentieth of June an enormous convoy of five thousand wagons, laden with powder, shells, money and provisions, set out from Neisse. It was the last hope of the besiegers. In view of its importance a force of eight thousand men under Colonel Mosel was detailed as escort, and Zieten with reinforcements was sent out to meet it. But the enemy, getting knowledge of the train, planned to attack it in the narrow mountain passes between Hof and Sternberg. The first attempt was made near Guntersdorf by Loudon, who had been sent out from Kaunitz, but it failed in its main object. Soon afterwards Zieten came; and after he had arranged an order of march, the immense convoy, headed and flanked by troops, proceeded slowly forward as far as Domstädt, where on the thirteenth of June Loudon again fell upon it. This time he acted in union with General Siskowich, who had been dispatched from Prerau on the same errand, and a desperate conflict ensued. The Prussians fought with extraordinary courage. Over and over again they charged the enemy, pushing the great train forward whenever a brief opening was gained; and when these tactics became impossible, they formed behind the wagons, and maintained the struggle from these rude breastworks. But the horses became unmanageable, the drivers fled in a panic, and all organization was lost. Three thousand wagons were captured or destroyed. The rear of the train, cut off by Siskowich, returned to Troppau, whither Zieten had to follow. Only a small part of the great transport came safely into Frederic's camp, and this was chiefly money, not precisely the most useful commodity at that juncture.

This was the beginning of the end. On the twenty-ninth of June there was a sharp fight near Prossnitz between two divisions of the rival armies, and the Prussians had the advantage. But it failed to develop into a general engagement. Two days later Frederic learned that the convoy had been broken up, that Zieten had been forced back upon Troppau, and that Daun had crossed to the left bank of the March. On the second of July the marshal was at Gross Tenitz, and in direct communication with the garrison. The Austrian historian says he found the enemy's position at Prossnitz too strong for attack, and hence made a further movement by the right in order to get nearer the besieged town.[1] This describes indeed what he did. In respect to strategy his object was, it is supposed, to avoid an open battle before Olmütz, to force Frederic to

[1] Arneth, V. 370.

raise the siege, and then to cut off his retreat, which was expected to take place by the same route as the invasion. But instead of trying to return by Upper Silesia, Frederic struck boldly across into Bohemia along the very roads which Daun had taken on his way to Olmütz; and on the fourteenth of July, with the loss of only a few mortars, and after slight skirmishes with Loudon, who followed in pursuit, he arrived in the vicinity of Königgrätz.[1] Thus ended an enterprise which is usually reckoned among the capital mistakes of Frederic. With it ended also the system of aggressive tactics to which it belonged. For the rest of the war the only object of Frederic's measures was to keep the enemy from his own doors. Prince Henry had likewise failed in his part of the general plan, the attempt upon Prague, or rather, had hardly made an effort to perform it. Early in May the fifteen thousand Austrians left to cover the city were joined by the army of the Empire, somewhat restored in numbers and discipline, though still in a very imperfect condition, and less formidable in fact than on paper. But its march to the Elbe left open a region in the Upper Palatinate and Franconia, which Prince Henry at once invaded with a considerable force. Hof was captured and Nuremberg threatened; heavy contributions were levied in the bishoprics of Würzburg and Bamberg; the active Mayr repeated his exploits of the previous year; and a widespread panic was caused among the princes allied with Austria. But after these demonstrations Prince Henry returned with his troops in the middle of June to Saxony.

Ferdinand of Brunswick was more successful. With the consent of George II., with whom, or with whose ministers, he now kept up a regular correspondence, he planned a passage of the Rhine, and a fresh movement against the French before they should have time to complete the reorganization of their army. The negotiations with Dutch boatmen, whose services were indispensable in the absence of bridges, caused some delay, and robbed the enterprise of the suddenness which the prince had aimed to give it; but Clermont himself interposed no obstacles, and on the second of June the larger part of the allied army successfully crossed the river near Lobith. With this force Ferdinand at once moved against the enemy, who everywhere fell back as he advanced. Instead of showing a desire to fight, Clermont long refused all challenges, and seemed anxious only to find a safe retreat behind the Meuse, so that the prince had little difficulty in bringing the rest of his forces across

[1] Arneth, V. 389, denies that Daun was wholly surprised by this turn of things. But on the previous page he himself shows that all the preparations against Frederic's retreat were toward Silesia.

the Rhine by the middle of the month. Then the pursuit continued. But the French ministry of war had now been for some time in the hands of Belleisle, and the result of his energetic efforts to improve the fighting capacity of the army gave him a right to demand of it something better than mere skill in evading the foe. Clermont received orders therefore to hold the lower Rhine at any cost.[1] For the purpose of a stand he chose a position behind the town of Crefeld and the villages to the west, a position of great natural strength, protected by hills, woods, swamps and ravines, as well as by an old line of earthworks formerly erected as a frontier defence. His force reached a total of some forty-five thousand men, while the allies had not much over thirty thousand. But Ferdinand knew his adversary; and as soon as he had examined the ground, he decided, in spite of its obstacles and his own inferior strength, to give battle the following day, the twenty-third of June. He divided his army into three columns, which advanced by as many different routes. The left and centre moved by the easiest roads for feigned attacks, while the real battle was to be given by the right, which Ferdinand commanded in person. The paths which it had to follow were so narrow and so obstructed that at times the troops could only march two abreast; but they worked their way slowly around the enemy's left, and attacked it near the village of Anradt with foot and horse. Clermont hurried up with reinforcements, and for a long time the flower of the French army contended desperately with the mixed levies of the prince of Brunswick. But in the end the generalship of Ferdinand and the good conduct of his troops prevailed; the French sullenly retired; and the day closed with the triumph of the allies. The battle was really won by half the army, acting at first without supports, and on the most difficult part of the field. The prince has therefore been sharply censured by critics of weight for the recklessness of his tactics, though others have called his plan a masterpiece in the art of war.[2]

After the victory Ferdinand made haste to gather its fruits. Düsseldorf and many lesser towns were captured; Wesel was invested; and the allied army advanced as far as the Meuse, where supplies were abundant and the soldiers lived for a time in luxury. A decisive campaign in the Austrian Netherlands, which the prince ardently desired, was indeed impossible without the co-operation of

[1] Stuhr, II. 90. But see also p. 91, which shows some confusion or conflict in the instructions. Clermont afterwards pleaded this in his own defense.

[2] Napoleon was one of the unfavorable judges; other opinions for and against are collated by G. S., II. 103. The losses are usually placed at about 4000 for the French and less than half as many for the allies. Ferdinand's own report to England is in Knesebeck, I. 122 seq.

an English force to be landed on the coast of Flanders; but this bold passage of the Rhine and the brilliant victory at Crefeld made a deep impression throughout all Europe. Pitt and his colleagues now saw with clearer eyes the interest of England in the war on the continent. To the single battalion, which in the treaty with Prussia had been designed to occupy Embden, were now added further installments of both foot and horse until the total reached nearly ten thousand of the choicest troops of the British army. Under the duke of Marlborough they completed their landing in the first half of August, and made ready to co-operate in the further measures of Ferdinand. But these measures were now affected by the hostile movements of the enemy.

HERBERT TUTTLE.

(*To be continued.*)

MIRABEAU, A VICTIM OF THE LETTRES DE CACHET

The *lettres de cachet*, one of the most typical institutions of old French society, have been aptly called "the very essence of public life" before the Revolution. Upon them rested the authority of the king and the honor of the family; for the king had no other means of enforcing his will throughout the realm and the family relied upon these arbitrary orders to protect itself against degenerate members. Although it is commonly believed that the employment of *lettres de cachet* was largely confined to affairs of state, yet this is far from the truth. The evidence shows conclusively that out of a thousand cases hardly four or five were of this nature, while the remaining nine hundred and ninety-five or six dealt with matters of police or of family. In all of these latter cases the initiative was taken by the family, the government simply responding to the demands made upon it, demands multitudinous in number, varied in character and not confined to any rank or class.

So necessary did these orders appear to the old society that most of the cahiers of 1789 that had anything to say about them requested their retention in a modified form. So all-pervading was their influence in the life of the ancient régime, that the families wholly untouched by it were but few in number. Outside of Paris more *lettres de cachet* were called into existence by family troubles than by any other cause. In truth, the conservation of family honor may be said to have been the *raison d'être* of these arbitrary orders. For the social state of ancient France rested on the family organization; the family was everything, the individual almost nothing. From this close community of interests, it naturally followed that the dishonor of one member became the dishonor of all. To see that the reputation of the family suffered no harm was the duty of the father, and he exercised an authority hardly surpassed by the Roman of old. The true image of God upon earth, he possessed a power that was practically absolute. For he was the judge of his children, and not simply a crime, but even the fear of a crime, was sufficient to justify the demand for a *lettre de cachet*. Seldom, if ever, were these demands refused.[1]

Such a rôle did the *lettres de cachet* play in family affairs prior to the Revolution. All their uses and abuses seem summed up in the

[1] *Revue des Deux Mondes*, Oct., 1892; "Les Lettres de Cachet."

experience of the famous orator of the National Assembly, the Comte de Mirabeau. His case is as notorious as it is typical. His father, the Marquis de Mirabeau, commonly known as "*L'ami des hommes*," exhausted the patience of long-suffering ministers by reiterated demands for arbitrary orders, while the son, dragged from prison to prison, denounced the *lettres de cachet* in a work read throughout Europe, and immortalized his last imprisonment by his famous *Lettres de Vincennes*. A careful study of the sufferings of Mirabeau while a victim of the *lettres de cachet* is not only indispensable to an understanding of the man's subsequent career, but offers also a definite knowledge of one of the most important and most characteristic institutions of the ancient régime. The material for such a study is fairly abundant. It is found among the documents of the Archives Nationales [1] and in the writings of Peuchet [2], Montigny,[3] Loménie,[4] Stern,[5] and of Mirabeau himself.[6] But it is especially through the one hundred and thirty odd manuscripts in the archives of the French capital that we are brought into direct contact with this tragedy of old France.

Passing over Mirabeau's first confinement at Rhé in 1768, I turn at once to that period of almost continuous surveillance or imprisonment, beginning with the year 1773 and ending with 1780. During this time he was the victim of many *lettres de cachet* and the inmate of four different prisons of state.

After an unusually eventful youth Mirabeau was married in the summer of 1772 to Mlle. de Marignane, a wealthy heiress of Provence, and took up his residence in the family castle on the Durance. Notwithstanding the affirmations of his latest biographers to the contrary,[7] Mirabeau did not begin his dual existence under favorable financial conditions. Bachelor debts, wedding expenses and the needs of a year were all to be met from the paltry 9000 livres granted to himself and wife in the marriage contract.[8] The marquis was aware of the situation of his son, but refused him all aid.[9] Mirabeau inevitably fell deeper into debt,[10] and this debt was unnecessarily increased by extravagance.[11] Costly presents to his wife,

[1] Arch. Nat., K. 164, Cartons des rois: Louis XVI.
[2] *Mémoires sur Mirabeau et son époque*, 4 vols., Paris, 1824.
[3] *Mémoires de Mirabeau*, 8 vols., Paris, 1834.
[4] *Les Mirabeau*, 5 vols., Paris, 1879–1891.
[5] *Das Leben Mirabeaus*, 2 vols., Berlin, 1889.
[6] *Lettres originales de Mirabeau*, 8 vols. in 4, Paris, 1798.
[7] Stern, I. 75; Loménie, III. 90.
[8] *Mémoires de Mirabeau*, II. 13; *Lettres originales*, II. 130.
[9] Stern, I. 77, note 2.
[10] *Lettres originales*, II. 132.
[11] *Lettres originales*, II. 138; *Mémoires de Mirabeau*, II. 46, note 2.

princely sums lavished on the decoration of her chamber and expensive improvements on the estate, forced him to resort again and again to the Jews, who supplied him with money at exorbitant rates of interest. Shortly after the birth of an heir, in the fall of 1773, Mirabeau's situation became desperate.[1] He made a frank statement of his position to his father-in-law and received the offer of a large sum of money, due at a later date, on condition that his father approve the transaction.[2] This the marquis refused to do and affairs soon reached a climax. Mirabeau had pawned his wife's jewels and even her trousseau, and in his despair was about to appeal to his father to save him from his creditors by placing him under the protection of a *lettre de cachet*.[3] But the marquis had been led to anticipate his son's wish. Friends and foe alike had supplied him with evidence, reliable and otherwise, of Mirabeau's reckless career.[4]

The honor of the family was at stake, and no man valued it more highly than he. For Mirabeau to be arrested by his creditors would be an eternal disgrace. True, the calamity might have been averted by paying his debts, but for the marquis that was the last resort. He was something of a debt-maker himself, and his coffers were never too well supplied with current coin of the realm.[5] It was no uncommon course that the marquis took to escape from the perplexing position in which he found himself. He wrote to the minister La Vrillière, asking for a *lettre de cachet* that would give him time to settle the debts of this "worthy son of his mother," and prevent him from ruining himself and his family.[6] He "deserves to be abandoned to his fate," so runs the letter, "but must be saved for the sake of his family." The request was granted and the form was duly filled out and forwarded to Provence.[7] There it was served upon Mirabeau, who declared in writing his submission and betook himself to the family castle of Mirabeau, there to remain until released by a new order of the king.[8] An "imprisonment" of this kind was apparently a hardship to nobody but the creditors. Mirabeau certainly did not complain and the marquis was satisfied, for the family honor had been saved.

The young man's residence at the castle of Mirabeau came to an end in the following spring. Reports reached the marquis that his worthy scion was cutting wood upon the estate and selling furniture to raise money.[9] It afterwards transpired that the reports were maliciously false,[10] but the father believed the son capable of

[1] *Lettres originales*, II. 132.
[2] *Lettres originales*, II. 132–133.
[3] Arch. Nat., K. 164, No. 2 : 3.
[4] Arch. Nat., K. 164, No. 2 : 2.
[5] Stern, I., Chap. II.
[6] Arch. Nat., K. 164, No. 2 : 4.
[7] Arch. Nat., K. 164, No. 2 : 7.
[8] Arch. Nat., K. 164, No. 2 : 6.
[9] *Mémoires de Mirabeau*, II. 17.
[10] *Mémoires de Mirabeau*, II. 18.

anything, and without pausing to investigate requested his transfer from the castle of Mirabeau to the neighboring city of Manosque.[1] The minister complied at once with the request, and a fresh *lettre de cachet* revoked the first and relegated Mirabeau to the place of confinement chosen by his father.[2] Again, as in the first case, I find a written statement by Mirabeau that he submitted to the order of the king.[3] By the side of this document is another, written in uncouth characters and scarcely decipherable; it is the affidavit of the mayor and council of Manosque announcing the arrival of the young prisoner.[4]

However resigned Mirabeau might have been to such a mild-mannered despotism, he did not receive without a protest the blow that followed. To prevent the young man from incurring further debts and to secure a fund for the payment of the old debts, the Châtelet de Paris, at the request of the father and other relatives, declared Mirabeau under an interdict, and deprived him of the administration of all his property.[5] Of the 9000 livres of income, 6000 were to be retained for the creditors, and Mirabeau was compelled to support his family on 3000 livres a year. Having protested in vain against the competence of the court he finally yielded, but only out of filial respect.[6] He declared that he submitted everything, even his personal liberty, to his father, whom he recognized as his sole judge.[7] These words in the mouth of a man of twenty-four, and the father of a family, reveal the gulf that separates the present family organization from that of a hundred years ago.

Mirabeau's life at Manosque was far from monotonous. He received the most positive proof of his wife's infidelity,[8] but generously forgave her. Shortly after this episode, having learned that an engagement between her admirer and a Mlle. de Tourettes was likely to shatter, Mirabeau betook himself to the Château de Tourettes and played successfully the rôle of a mediator. On his homeward way, he unwisely tarried at Grasse, the home of his sister, Madame de Cabris, a beautiful woman, but of somewhat questionable reputation. Here he accidentally fell in with a Monsieur de Villeneuf, a defamer of Madame de Cabris. Words led to blows, and Mirabeau chastised his opponent somewhat severely.[9] Under the ancient régime, noblemen did not usually go to law with an affair of this kind, but Monsieur de Villeneuf laid the matter before the courts, charging Mirabeau with attempted assassination.[10] The

[1] Arch. Nat., K. 164, No. 2 : 9.
[2] Arch. Nat., K. 164, No. 2 : 10.
[3] Arch. Nat., K. 164, No. 2 : 12.
[4] Arch. Nat., K. 164, No. 2 : 13.
[5] *Lettres originales*, II. 143.
[6] *Mémoires de Mirabeau*, II. 22.
[7] *Mémoires de Mirabeau*, II. 27.
[8] Loménie, III. 720.
[9] Arch. Nat., K. 164, No. 2 : 14.
[10] Loménie, III. 135.

charge was, of course, ridiculous and it is generally agreed that the matter might have been easily settled, if the marquis had interfered.[1]

To bring about this desired result, Mirabeau despatched his wife to act as an advocate with his father; she proved a treacherous pleader.[2] The marquis was angry with his son for having left Manosque without leave, and was further incensed by the scandal attendant upon the escapade at Grasse. He determined to anticipate the possible disgrace of an unfavorable decision of the court by procuring a new *lettre de cachet.*

The request was made three days after the arrival of the Comtesse de Mirabeau.[3] In his capacity of first judge of his son, the marquis asked that Mirabeau be transferred to the Château d'If, off the southern coast of France. The ostensible causes of this imprisonment were disobedience to the king's order and the scandal at Grasse.

The 7th of September, 1774, a *lettre de cachet* was expedited to an officer in Provence instructing him to arrest Mirabeau and conduct him to the fortress of If, the expense of arrest and transfer to be paid by the family.[4] In a letter of the same month, the marquis thanked the minister for the celerity with which the affair had been handled, asked that Mirabeau be prohibited from corresponding with anyone but his wife, and promised to send to the commandant at If a specimen of the countess's handwriting.[5] The order had been executed without opposition.[6] Mirabeau had been urged by his friends to fly and might have escaped, but he refused to do so, declaring that he had no desire "to withdraw himself from the authority of his father."[7] The commandant had been prepared for the reception of the prisoner by a letter from the marquis warning him that his son was a "dangerous character."[8] The *lettre de cachet* had done its work, and for two years nothing more is heard of the action begun against Mirabeau by Villeneuf.

The residence at If lasted seven months and the "victim of the *lettres de cachet*" was so successful in winning the good will of the commandant that the marquis received only the most flattering reports concerning his son, and was even urged to release him.[9] But from unofficial sources the father had learned that the conduct of Mirabeau in the fortress had not been beyond reproach.[10] Common

[1] *Mémoires de Mirabeau*, II. 35–36.
[2] Loménie, III. 139.
[3] Stern, I. 83; Arch. Nat., K. 164, No. 2: 15.
[4] Arch. Nat., K. 164, No. 2: 18, 19, 21.
[5] Arch. Nat., K. 164, No. 2: 17.
[6] *Lettres originales*, II. 167; Arch. Nat., K. 164, No. 2: 21.
[7] *Lettres originales*, II. 167.
[8] Arch. Nat., K. 164, No. 2: 20.
[9] *Mémoires de Mirabeau*, II. 44.
[10] *Mémoires de Mirabeau*, II. 46.

report coupled his name with that of the wife of the sutler, and the sutler himself did not hesitate to charge Mirabeau with robbery.[1] Letters of the commandant and the later confession of the sutler prove conclusively that this charge was false,[2] but it was, as usual, true for the marquis. He decided to appeal to the minister to transfer his son to a more isolated fortress than that of If, as he wished to test him still further before giving him his liberty.[3] The reasons given for the transfer were that "If was unhealthy and that disagreeable things happened there." If Mirabeau stood successfully the trial of his new imprisonment, his father intended to submit him to additional tests.[4]

There had been no new cause for a prolongation of Mirabeau's confinement, and it is not strange that his patience began to fail. The commandant, D'Allegre, a man of excellent reputation, had asked for the young man's release. This, in the eyes of the marquis, was sufficient proof that the guileless official had been "seduced, corrupted and deceived" by the crafty Mirabeau.[5] In a *mémoire* written in Vincennes and addressed to his father, Mirabeau gives a most truthful characterization of the marquis's state of mind: "You consider," wrote the son, "that all who do not find me so bad as you think me, have been won over by me. He will seduce you: that is your formula, but are not these three words equivalent to saying, Take care; if you are not prejudiced, you will not find him so great a rascal as I make him out to be? I do not comprehend," Mirabeau went on, "how you can expect that I should be the only man in the whole world whose character is not a mixture of good and evil."[6] Perhaps the attitude of the father toward the son, and the injustice of the system that had placed such absolute power in a father's hands, are best shown by a letter written two years later by the marquis to his brother. "I do not reproach myself," he wrote "on account of the transfer from Château d'If to the Château de Joux . . . had he remained at the Château d'If with the attestations of that idiot, D'Allegre, he would be there still crying out against injustice; he would not have destroyed himself as he has done, which is the salvation of his family."[7]

Even the *bailli*, who almost worshipped his brother, warned him that the public considered him "a little hard toward his own; that the son was guilty only of contracting debts . . . and that if all the young people in debt were shut up, one would see only gray beards on the streets."[8] But all warnings were in vain; the gov-

[1] *Lettres originales*, II. 168.
[2] Peuchet, I. 127.
[3] Arch. Nat., K. 164, No. 2: 25.
[4] *Mémoires de Mirabeau*, II. 49.
[5] *Lettres originales*, II. 170.
[6] *Lettres originales*, II. 170.
[7] *Mémoires de Mirabeau*, II. 61.
[8] *Mémoires de Mirabeau*, II. 53.

ernment machinery worked once more at the father's request and Mirabeau found himself banished among the snows and bears of Mount Jura. In the *mémoire* already mentioned, he describes his transfer: "I peaceably followed my conductor, who had no escort. I carried pistols; he had none. You know what account he gave of my conduct, and you see that I was resolved to try once more to touch you by my resignation."[1]

Mirabeau's new place of confinement was the fortress of Joux, near Pontarlier, on the eastern frontier of France. He was allowed a large amount of liberty, passing his days in the city and his nights in the fortress. As time went on, he enjoyed still greater freedom, roving about the country on tours of investigation, even penetrating into Switzerland. A warm friendship had sprung up between him and the royal advocate at Pontarlier, M. Michaud, and they were often companions on the journeys referred to.

During his residence at Manosque, Mirabeau had written his *Essai sur le Despotisme*. It was now printed at Neufchâtel and many copies were smuggled into France. This act was a violation of the law, but although it was known both to the commandant of the fortress and to the king's advocate, they raised not a finger to punish the offender. But if the commandant, St. Mauris, tacitly allowed the violation of the censorship, there were other acts to which he did not shut his eyes so readily.

Mirabeau had continued his old practice of contracting debts. His course was not without excuse, for his income had been reduced to 100 livres a month, and this could not possibly meet all his legitimate expenses.[2] A note given by Mirabeau for 1500 livres fell into the hands of St. Mauris. It is true that the note was not due for several weeks and that Mirabeau had been promised 1500 livres for work that would soon be ready,[3] but the note was dated Neufchâtel and in itself was a proof that St. Mauris had not watched his prisoner carefully. Furthermore, Mirabeau's relations with Madame de Monnier had created a scandal in Pontarlier, and, last of all, the government had sent instructions to search for the author of the *Essai sur le Despotisme*.[4] The commandant believed that his confidence had been abused and determined to confine his prisoner more closely within the castle. A stormy scene occurred between the two, and shortly after Mirabeau disappeared.[5]

He was weary of prisons and unwilling to submit longer to the despotism of paternal government. In a letter to his uncle—his

[1] *Lettres originales*, II. 180.
[2] *Lettres originales*, II. 192.
[3] *Lettres originales*, II. 193.
[4] Loménie, III. 170.
[5] *Lettres originales*, II. 101. Arch. Nat., K. 164, No. 2 : 26.

father had declined to hear from him—he asserted that "liberty is a natural right" and asked "why should I be deprived of it?" He began to feel the spirit of the approaching revolution stirring within him, and declared that the times were changing and a man was permitted to be ambitious.[1] He had done well to take the matter into his own hands, for his father had no intention of putting an end to this long-drawn-out confinement. The marquis had taken no steps to settle Mirabeau's debts, continued to write letters to St. Mauris warning him against his son[2] and, in a letter to the *bailli*, outlined his future policy:[3] "As to his liberty," he wrote, "if the king releases him, his creditors will hold him in a less commodious manner." Mirabeau, if released, might go to Paris to aid his mother in a law suit against her husband and the marquis candidly acknowledged, "it is to my interest to keep him in prison, for fear that he will come here to second his mother."[4]

Upon the evening of his evasion, Mirabeau had written to the minister of war, St. Germain, appealing to him for protection against his father. He appealed to him as a Frenchman and a subject of the king. Although he had suffered long, he had suffered patiently, for it was repugnant to him to struggle against his father, whose great reputation frightened him. He had, moreover, hoped for an improvement in his lot, but at the moment when he saw it cruelly aggravated, he withdrew himself from persecution.[5]

Paternal despotism had induced first the mental revolt uttered in the *Essai sur le Despotisme* and later the evasion itself and the appeal to justice. The escape of Mirabeau was announced by St. Mauris, January 21, 1776. His letter to the minister closed with the following pathetic request: "Do me the kindness, Monsieur, not to send me any more prisoners, for by my faith, I cannot accustom myself to being a jailor."[6] Until the latter part of February, Mirabeau remained in concealment at Pontarlier, some of the time in the house of the royal advocate himself, and succeeded in frustrating the efforts of St. Mauris to seize him.[7] Meanwhile the Marquise de Mirabeau at Paris was storming the ministers with letters and *mémoires*, and playing in a somewhat exaggerated manner the rôle of the unfortunate mother.[8]

This revolt from parental authority came at a time when the government was most likely to entertain it. The administration of the *lettres de cachet* was in the hands of the noble Malesherbes, and efforts were being made to reform it. A commission had been es-

[1] *Mémoires de Mirabeau*, II. 55.
[2] Loménie, III. 163.
[3] Loménie, III. 163.
[4] *Mémoires de Mirabeau*, II. 59.
[5] *Mémoires de Mirabeau*, II. 94.
[6] Arch. Nat., K. 164, No. 2: 26.
[7] Arch. Nat., K. 164, No. 2: 47.
[8] Arch. Nat., K. 164, No. 2: 28, 29, 30.

tablished for the examination of all cases, and it was upon its recommendation that action was taken. But the *mémoire* sent to Paris by Mirabeau was placed by Malesherbes in the hands of one of his colleagues, the Duc de Nivernois, an intimate friend of the marquis.

The duke returned the *mémoire* with the comment that it was "well and maliciously made." He joined to his reply a sketch of Mirabeau's career from the pen of the marquis, saying that "it could be counted upon." "He wished that he could say as much for the other." [1] It has been the practice of late years to follow the lead of the Duc de Nivernois and to discredit all evidence emanating from Mirabeau, but after carefully studying the records I am convinced that his statements are, on the whole, fully as reliable as those of his father. However well-meaning the Duc de Nivernois may have been, he was acting in the interest of friendship and not of justice.

His letter is one of the most significant documents connected with this most significant affair. Mirabeau, under arrest, confronted by no witnesses and unable to obtain a statement of the charges against him, was the victim of his father's reputation, and of his father's powerful friends. But he was not entirely abandoned. Michaud, the royal advocate at Pontarlier, attempted to reconcile father and son.[2] It was labor lost. The marquis declared that he washed his hands of his son, but he gave him the parting advice to leave the country, promising to send his pension when he knew where he was.[3]

Meanwhile the government had taken steps to secure Mirabeau, who had been obliged to leave Pontarlier and had gone to Dijon. There he was discovered and arrested.[4] But the *grand prévôt*, Montherot, was so captivated by his prisoner that he allowed him to remain some time under surveillance in hired lodgings. Mirabeau wrote at once to his mother urging her to plead with the ministers for his release, and wrote himself to Malesherbes and St. Germain.[5] Malesherbes examined the affair carefully, corresponding with the marquis, marquise, St. Mauris and Montherot, and declared, finally, that no action could be taken until the fugitive returned to the prison from which he had escaped.[6]

The idea of returning to Pontarlier was intolerable to Mirabeau, and he not only protested vigorously against it himself,[7] but enlisted all the eloquence of Montherot.[8] The forces against him were,

[1] Arch. Nat., K. 164, No. 2 : 31.
[2] Arch. Nat., K. 164, No. 2 : 34, 35.
[3] Arch. Nat., K. 164, No. 2 : 34.
[4] Arch. Nat., K. 164, No. 2 : 36.
[5] Arch. Nat., K. 164, No. 2 : 52, 36, 53, 54.
[6] Arch. Nat., K. 164, No. 2 : 37, 43, 44, 45, 46, 50, 55, 60; Loménie, III. 240.
[7] Loménie, III. 241 ; Arch. Nat., K. 164, No. 2 : 72.
[8] Arch. Nat., K. 164, No. 2 : 53, 55, 56, 58, 59, 63.

however, overwhelming, for his father had returned to the attack. At the time of Mirabeau's flight, the marquis evidently intended to leave him to his fate, but influenced by his brother and other relatives, he again changed his attitude and became once more the persecutor and prosecutor of the son.

The 6th of March, 1776, a *lettre de cachet* was sent to Montherot,[1] instructing him to transfer Mirabeau to the fortress of Joux. The *prévôt* did not execute the command, but remonstrated with Malesherbes,[2] and, finally, secured the withdrawal of the order, and the substitution of another confining Mirabeau in the Château of Dijon.[3] Having added the commandant of this fortress to the list of his admirers, Mirabeau would have had little to complain of had his father regularly remitted his pension. Small as the sum was, it had not been paid for some time. But Mirabeau was weary of prisons and paternal rule, and demanded of the government why he should remain longer in confinement.[4]

In spite of his appeal, no reply was made. The government, however, had the matter under careful consideration. All the letters and *mémoires* from father and son were laid before the commission on the *lettres de cachet*, and one of the most interesting documents that I encountered in the Archives Nationales was their summing up of the case.[5] Certainly the men upon whom the Marquis de Mirabeau could bring so much pressure to bear were likely to do him full justice, and yet I know of no more severe commentary upon his treatment of his son than this same report.

After stating carefully the evidence on both sides, the commissioners concluded that there were but two reasons why Mirabeau's imprisonment should be prolonged, namely, punishment for the evasion from Joux and time for settlement with his creditors. All the other charges were set aside, and it was added that an injustice would be done if the imprisonment exceeded six months. But the work of the commission came to naught. A change of ministers restored the old abuses and Mirabeau found himself once more at the mercy of his father. Entirely disregarding the decision of the commission, the marquis took steps to secure the indefinite confinement of his son. Mirabeau was to be placed at Doullens in Picardie under a commandant notorious for his severity. The correspondence that took place between the marquis and the commandant proves conclusively that the young man was to be treated as a dangerous criminal.[6]

[1] Arch. Nat., K. 164, No. 2: 60.
[2] Arch. Nat., K. 164, No. 2: 67.
[3] Arch. Nat., K. 164, No. 2: 69.
[4] Arch. Nat., K. 164, No. 2: 97.
[5] Arch. Nat., K. 164, No. 2: 96.
[6] Arch. Nat., K. 164, No. 2: 106, 107, 109, 110.

Mirabeau, his mother and his friends exerted all their influence to prevent the issue of an order transferring him to Doullens, but in vain. The 30th of April the letter was filled out.[1] The execution of it was delayed on account of Mirabeau's poor health,[2] but seeing the impossibility of winning his cause before the government, and unwilling to place himself again in the hands of his father, Mirabeau fled. For several weeks he wandered about, hiding from the police officers in the pay of the marquis, and in August, 1776, accompanied by Madame de Monnier, he made his escape to Holland. Once out of the country the pursuit was abandoned. So long as there was no pension to pay, and no danger that Mirabeau would assist his mother, it mattered little to the marquis what became of him.

Living under an assumed name, Mirabeau passed several months undisturbed by his father. During this time he had given offense to the marquis by anonymously attacking him in newspapers and in *mémoires*, written to aid his mother in her law suit, and when Mirabeau's hiding place became known his father was naturally desirous of placing him once more behind the prison bars. By uniting with the relatives of Madame de Monnier, who wished to secure possession of her, the marquis succeeded in lessening the expense of the undertaking, and in due time a police officer in the employ of the two parties was on his way to Holland.

All difficulties of extradition were overcome,[3] the last *lettre de cachet*[4] issued and Mirabeau soon found himself confined within a narrow, dimly lighted cell of the donjon of Vincennes. His room was high up in one of the towers, and through the narrow, deep, iron-barred windows nothing but a bit of sky was visible. With my mind full of his sufferings as he describes them in his letters, I realized, as I stood within that small, cold and dimly lighted room, the absolute misery and wretchedness, for a man like Mirabeau, of three years of confinement in a place like that.

But to grasp fully the pitilessness of the father, I would have you listen to the words with which he announced the imprisonment of his son. He was writing to his brother: "I received word yesterday that the rascal has been seized and is in irons I would have liked, had it been possible, to have sent him to the Dutch colonies, for nobody returns from there As to his imprisonment, my plan is definitely made. Nobody but myself and

[1] Arch. Nat., K. 164, No. 2: 97, 98, 99, 104, 111.
[2] Arch. Nat., K. 164, No. 2: 111, 112, 116.
[3] Arch. Nat., K. 164, No. 2: 135.
[4] Arch. Nat., K. 164, No. 2: 136.

the government shall know where he is, and, at my death, a sealed letter shall inform my successor of the locality."[1] Surely the Roman father in the most unrestrained exercise of his power was hardly more inhuman than that.

It does not fall within the limits of this paper to follow Mirabeau through the years of his imprisonment. The *lettre de cachet* that placed him in Vincennes was practically the last from which he suffered, and closed the long series. As a fruit of his bitter experience he wrote within the walls of the donjon his work on *Lettres de Cachet et des Prisons d'État*, a companion piece to his *Essai sur le Despotisme*. From this prison, after more than three years of physical and mental torture, he went forth at last a bitter opponent of absolutism, to make war upon all arbitrary forms of government. And when, as the master spirit of the National Assembly, he appears tireless in his efforts to throw every safeguard around individual liberty and to place every possible check upon absolutism, there rises involuntarily before the mind's eye visions of If, Joux and Vincennes, and of his long years of suffering while a "victim of the *lettres de cachet*."

Fred Morrow Fling.

[1] *Mémoires de Mirabeau*, II. 178, 181.

THE PROPRIETARY PROVINCE AS A FORM OF COLONIAL GOVERNMENT

II.

HAD governmental powers not accompanied the territorial grants which have already been described, those grants would have lain wholly within the domain of private law. They would have been estates of land, unusually large, no doubt, but nothing more. In cases where the governmental rights of proprietors were suspended [1] or resigned into the hands of the crown, they remained thereafter only private landlords. But the fact that rights of government were bestowed with the land gives to the regulations concerning the latter a significance in constitutional history. The proprietor was made thereby the political head of his province. In fact, the territory became a province by virtue of the rights and institutions of government existing in and connected therewith. The existence and exercise of these rights made the income from the land of the province public revenue. When that revenue was expended it was a public expenditure. The bestowment of grants of land by the proprietor not only carried with it the obligation to pay quit-rent, but to take to him the oath of fidelity. Had it been possible for a territorial nobility to develop in the American provinces its creation would have shown here, as in Europe, how the granting of land could have been utilized as a means of strengthening the government and checking the growth of democracy.

In the discussion of the corporation as a form of colonial government it was necessary to dwell first and chiefly on the legislature. The general court was the central feature of that organism, for in that the freemen, who were the grantees of power, found their embodiment. But with the proprietary province the case is different. The king established that by delegating to the proprietor the right to exercise certain functions of the prerogative within the province. It is true that the proprietary charters contained more hints concerning the form of government which should obtain in the province

[1] The governmental rights of Baltimore were suspended in 1690 and so remained till 1715. Those of Penn were in suspension during the years 1693 and 1694. The New Jersey proprietors seem never to have been in undisputed possession of rights of government. After such rights as they claimed were in 1702 surrendered to the crown they remained formally as well as really private landlords.

than did the charters of corporations, but they were only hints. The existence of an assembly, and hence the enjoyment of political rights by the colonists, was not in any of the charters guaranteed in specific and mandatory terms; in one, that of New York, it was not mentioned. The powers which were definitely bestowed were executive in character, the ordinance power, the power to appoint all officers, to establish courts, to punish and pardon, to organize a military force and defend the province, to bestow titles of honor, to found churches and present to livings. These made the proprietor the executive of the province and for the most part left it to him to determine how and in what forms the governmental powers which he had received should be exercised. That he did this alone, without advice, or apart from the social and political conditions of the problem, is not claimed. That in none of the provinces, save New York, was there or could there have been much delay in calling an assembly, is true. But in all cases the assembly was called by the proprietor, and without such action of his it could not legally meet. What control he had over its organization and work, when once in existence, will appear in the sequel. The fact here insisted upon is that the bestowment of power upon an individual instead of a corporation assembled in general court, and its transmission through him to the colonists, made the executive, instead of the legislature, the centre from and around which development in the province chiefly occurred. It gave to the proprietor an importance, especially at the outset, which was analogous to that enjoyed by the general court in the corporate colony. It made him in a derived and inferior sense the source, within the province, of office and honor, the fountain of justice, the commander of the military, the recipient of the provincial revenue, the constituent part of the legislature. These were the *jura regalia* of the proprietor, which made his position that of a count palatine. They were in kind the powers of the English monarch, and, when used according to the precedents of the county palatine, made the province monarchical in form.

Of the proprietary provinces which obtained permanent form and development, Maryland was founded prior to the Restoration, while all the rest were established subsequent to that event. The Calverts and the Duke of York were the only proprietors who did not issue elaborate concessions as to government. As we have seen, they all published the terms on which they would grant land; the Carolina and New Jersey proprietors and Penn made similar announcement of the conditions under which government should be administered. With one exception,—the Fundamental Constitutions

of Shaftesbury and Locke,—these documents have a decidedly modern form and purport. They were apparently issued for the purpose of attracting settlers, and may have contained features which were suggested by those who expected to live as colonists under them. They approach as near formal compacts as is possible in the case of documents within the domain of public law. One cannot imagine a medieval count palatine issuing to his vassals such grants as these. In them the organs of the government which it was proposed to establish, and their powers, were described, in some cases very minutely, while provisions for amendment were included. They were in fact *octroi* constitutions, and were issued as an expression of the will of the proprietor, but also with a view to the interests and demands of those who, under new and strange conditions, were to inhabit the provinces. In these constitutions then we note the first significant innovation in matters of government which occurred when the palatinates were reproduced in the American colonies. The Calverts and the Duke of York by refraining from their issue kept more strictly in the line of precedent, and on that account, for a time at least, they were able better to control the dispensing and the exercise of political power. They conceded less at the outset than did the proprietors of Carolina, New Jersey and Pennsylvania.

As the proprietors themselves were the most important agents in these initial transactions, their views and habits must be taken into account in judging the events themselves. A study of the documents reveals the fact that the affairs, particularly of Maryland and New York, were guided by men whose minds were trained in the law and traditions of English administration. The proprietors of these provinces were men of this class. Hence with them there was an adherence to legal forms, a steadiness and precision in the conduct of business, which the records of the other proprietary provinces do not reveal. The Baltimore family, while in control, seems to have devoted its attention more carefully and continuously to the administration of its province than did any of the other proprietary grantees. The attention of the leading Carolina proprietors was diverted from their colonial interests by cares of state, while, especially after the death of Shaftesbury, the fact that there were eight of them instead of one detracted greatly from their efficiency. But they had no ideals which were inconsistent with the traditional monarchical system as reproduced in the province. The same cannot be said of Penn and of the members of the proprietary boards of East and West Jersey. Penn was not a lawyer, neither was he a specially able administrator. The proprietors of

the Jerseys, particularly of West Jersey, became very numerous, and many of them settled in their provinces. There, as in Pennsylvania, Quakerism and various other forms of religious dissent entered as elements which strengthened democratic tendencies among the people. Dissenters were also numerous in the Carolinas, and at one time Puritans made considerable trouble for Baltimore. But in Pennsylvania the first proprietor was himself a Quaker; the entire board of West Jersey was of that persuasion, while the sect was strongly represented among the grantees of East Jersey. The social position, the training, the spirit, the religious beliefs of the Quaker did not conspicuously fit him for maintaining the traditional forms of provincial government. When he became a proprietor there was likelihood that the provincial system would be modified at its very source; that institutions would be thrown, as it were, into solution, and seem more ready than elsewhere to assume the democratic form. In the Quaker provinces proprietors and people more nearly agreed in their ideals than they did elsewhere. Penn, to his cost, relied more on personal influence than he did on institutions as a means of retaining control over his province. In the Jerseys, moreover, the difficulties of maintaining the proprietary system were vastly increased by the number of proprietors and by the doubt which hung over their claim to governmental power. Their history shows how it was possible by weakening and obscuring the executive to change this form of government into that of the commonwealth. Thus it appears that in the domain of government the proprietary provinces had each its individuality, and that this was in part due to the character and position of the proprietor. It is believed that Maryland approaches the nearest of all to the model, and so its history may chiefly be relied upon to illustrate the features of the system.

The effective exercise of governmental power by the proprietor began with the appointment of the governor. It was mainly through this official that the powers of the proprietor were exercised in the province. He was the proprietor's commissioner, or, to use a term of private law, his agent, for all purposes of government. Power was transmitted to him by a commission, and he was guided in the use of it by instructions. Instructions might be given him at the time of his appointment, or also at any later period. The letters written by the proprietor to his governor were of the nature, though not in the form, of instructions. The governor in return was expected to report his doings to his superior and keep him informed concerning affairs in the province. The governor, like all other officials, held office at the proprietor's pleasure, and was in no re-

spect legally independent of him. There was no department or phase of his activity wherein he was not legally subject to the control of the proprietor, though at the same time it is true that such control was often loosely exercised. In order then to the existence of proprietary government it was not necessary that the proprietor should reside in the province. Wherever the governor was, there was the proprietor. The governor brought the proprietor into the province, for every public act of the governor, if legally performed, was done in the name and by the authority of his superior. Anything which the proprietor could lawfully do he could require his governor to do, and at the outset the proprietor was limited only by the very general, though in the sphere of private rights, the comprehensive, terms of his charter. In the provincial system then provision was made for instructions before it was made for legislation, and it was only through instructions that legislation could legally begin and be continued. Instructions were as normal and regular a part of the system as was law-making. Not only were they sent to the governor, but, when necessary, to all other officials appointed by the proprietor. Any official in the province might send them to his subordinate.[1]

That this is a true account of the legal relations existing between the governor and the proprietor might be proved by citations at great length from the records of all the provinces. The first governors of Maryland and Pennsylvania were appointed before any of the colonists left England,[2] and Lord Baltimore then gave to his appointee full instructions concerning the voyage and the making of the first settlement. We know that in 1664[3] a commission and instructions were sent to William Drummond, the first governor of Albemarle County, in Carolina, though the documents have been lost. The commission of Sir John Yeamans, the first governor of Clarendon county, is extant.[4] It is accompanied by instructions concerning the granting of land, in which it is specified that the powers should be exercised in the name of the proprietor and according to conditions and instructions proceeding from him. The instructions sent to the governors of the proprietary provinces are not so voluminous as those sent by the crown to its governors; they are also less comprehensive and much less exact in form. The usage of no two provinces was the same and in the same province it varied from time to time. The instructions issued by the Carolina proprietors were usually brief, but those sent in 1691 to Philip

[1] *Md. Arch.*, Council, 1636 to 1667, pp. 141, 149, 161.
[2] *Calvert Papers*, I. 131. Hazard, *Annals of Pennsylvania*, 503.
[3] *N. C. Recs.*, I. 93.
[4] Ibid., 97, 95.

Ludwell[1] were so full as to remind one of those emanating from the crown. Section 41 of these ran as follows: "In all other matters not limited or provided for by these our Instructions you our s^d^ Governor are by and with the consent of any three or more of our Deputys to make such Orders from time to time for the peace and safety of the Government there as to you shall seem necessary and wee ourselves have power to do by virtue of our Charter from the Crown, w^ch^ orders you are forthwith to transmit to us with yo^r^ reasons for the making of them, w^ch^ orders are to be in force untill wee shall under the hand and seale of the Palatine and three more of the Lords Prop^tors^ otherwise direct and no longer." The rule, of general application, that instructions once issued should bind all succeeding governors till revoked, was stated in the next clause: "These Instructions shall be the Rules for proceedeings for any succeeding Governor as well as yorself and be put in Execution by him until wee shall otherwayse direct." In the early history of their province the Calverts do not seem to have issued instructions so regularly as did the Carolina proprietors, or, at least, if they did so, the documents have not been preserved. But as members of the proprietor's family often acted as governors, it may be believed that directions were given by letter when elsewhere they would assume formal shape. But examples of early instructions in Maryland history have been preserved,[2] and after 1660 the number which appear in the records increases. Though in Maryland as in other proprietary provinces, more attention was paid in the instructions to territorial than to governmental affairs, there was no sphere of government which they did not or might not touch. They dealt in particular with the calling of assemblies and with the right of both governor and proprietor to assent to laws. The history of this feature of Pennsylvania government reveals nothing essentially different from what existed in the other provinces.[3]

So far as Maryland is concerned, reference to the official oath will furnish additional evidence that the relation between the proprietor and the governor was such as has been indicated. The oath taken in 1648[4] bound the appointee to defend and maintain the jurisdiction and seigniory of the proprietor to the utmost of his power, and never to "accept of nor execute any Place, Office or Employment within the said Province Concerning or relating to the

[1] *N. C. Recs.*, I. 373.

[2] *Md. Archives*, Council, 1636 to 1667, pp. 51, 99, 135, 139, 324, 329, 335, 385; Assembly, 1637 to 1664, p. 321; Council, 1667 to 1688, pp. 54, 63, 94.

[3] See Shepherd, *History of Proprietary Government in Pennsylvania*, Columbia University Studies, VI. 474, *et seq.*

[4] *Archives*, Council, 1636 to 1667, p. 209.

Government of the said Prov^e^ from any Person or Authority but by from or under a lawful Authority derived or to be derived from time to time under the hand and seal at arms of his said Lordship or his heirs and assigns." The oath of 1669[1] was drawn in the same terms. The commissions issued by the Carolina proprietors and by those of New Jersey required official oaths, but the forms used are not now accessible. It is possible also that they were not regularly administered, especially during the periods of confusion through which those provinces passed. The accessible documents relating to Pennsylvania also furnish no example of the official oath or affirmation of a governor.

The position of the governor will be made still clearer, if we note the powers which were conferred upon him. These are more fully expressed in Maryland documents than elsewhere. In the first extant commission of Leonard Calvert, that of April 15, 1637, we find them stated at length.[2] The military element in the office was placed first. The governor was made lieutenant-general. This is the title by which in early times he was most often designated in the official documents both of Maryland and Carolina. He was also admiral, and by virtue of these powers was organizer and commander of the forces of the province both by land and sea for purposes of defense. Among the civil powers of the governor, that of chancellor ranked first. By virtue of this he was keeper of the seal and issued all grants both of land and office, licenses, writs of election, judicial writs, proclamations. As chancellor also he was provincial judge in equity, and in this capacity sat with the council. The appointing power was closely connected with the office of chancellor. The governor was also chief justice and chief magistrate. The first of these titles shows that he was the common-law judge in the province, exercising the combined powers of the King's Bench, Common Pleas and Exchequer. He was expressly empowered to hear, pronounce judgment, and award execution upon all causes criminal and civil, and to do it as authoritatively as if the proprietor were present. When life, member or freehold were involved the councillors should sit as judges with him. The title of chief magistrate referred apparently to the functions of the governor as conservator of the peace and general executive of the province. From him acting in these capacities proceeded the power of arresting, detaining and binding over offenders, which in the

[1] *Archives*, Council, 1667 to 1688, p. 39.

[2] *Archives*, Council, 1636 to 1667, p. 49. This was really an ordinance of government, for it contained commissions for governor, council and secretary, as well as directions for calling an assembly. Later commissions were an expansion and differentiation of this.

localities was exercised by constables, sheriffs and justices of the peace, and the power to issue and execute ordinances, pardon criminals, establish ports, harbors, markets and fairs, to care for the interests of the province and control its administration in general, supplementing in all needful ways the work done under the other functions, so as to make a rounded whole. By virtue of his power as chief magistrate the governor also became the constituent part of the legislature. It follows from this that within the province the governor was the centre from which proceeded all military, judicial and administrative functions, and also to a large extent legislative activity. From no measure of importance, even in the ecclesiastical sphere, was his hand or influence absent. All this the governor did as the commissioner and representative of the proprietor in the province. His official *status* was derived not from the province but from the proprietor. He was head of the province by virtue of his being intermediary between it and the proprietor. What the documents show to have been his position in Maryland, they also show, though somewhat less elaborately, to have been his place in the other proprietary provinces.

But at the same time that the office of governor was created, provision was made in the proprietary commissions and concessions for a council, which should stand toward the executive in a relation analogous to that occupied by the privy council toward the king in England. By the commission of 1637 the governor of Maryland was commanded to advise with it "as he Shall See cause upon all occations concerning the good of our Said Province and of the people there." That it was associated with the governor in the discharge of the highest judicial functions, we have seen. The councillor's oath, like that of the governor, bound him to bear true faith to the proprietor and defend his rights, maintain the peace and welfare of the people, assist in the administration of justice, give good advice to the proprietor and his governor, and keep secret the affairs of state.[1] According to this oath then the council was a branch of the executive, and as such was under obligation to uphold the rights of the proprietor. In 1642 the council received for the first time a commission distinct from that of the governor.[2] In this it was called "o^{r} privie Councell within o^{r} said Province of Maryland," and its members were empowered to meet with the governor when and where he should direct, "to treate, consult, deliberate and advise of all matters, courses and things w^{ch} shall be discovered unto

[1] *Archives*, Assembly, 1637 to 1664, p. 44; Council, 1636 to 1667, p. 85.

[2] *Archives*, Council, 1636 to 1667, p. 114. Substantially the same language was used in the commission of 1644; ibid., 157, 159.

you or brought before you, as well concerning the quiet govmt and regulating the people there, as for the good and safety of o^r^ said Province of Maryland." The peculiar function of the council then was to advise the governor and through him the proprietor, and in the provinces it was generally true that without that advice the executive should not act. The judicial powers of the council were also discharged in connection with the governor and were provided for in his commission. One would thus infer that as the council could not perform an executive act apart from the governor or an official representing him, so the councillors possessed of themselves no judicial *status* above that of justices of the peace in their localities.[1] And yet the council very greatly increased the strength of the executive because of the political and social influence which it contributed, while its utilization as a part of the legislature was of still greater advantage. Through it the influence of the appointing power was made much more effective than it could have been, if the governor had been left unsupported. The Carolina proprietors and Berkeley and Carteret in New Jersey availed themselves of this support, but Penn, until 1701, neglected it, and made express provision instead for an elective council.[2] His experience with this will appear in the sequel, but it was apparently of such a nature as to convince even the Quaker proprietor that an appointive council was a necessary part of the provincial system. However, when he secured it in permanent form, it was shorn of its direct legislative power.

The governor and council constituted the most important part of the official system of the province. The custom of accumulating offices in the hands of councillors, or, to state it otherwise, of admitting officials to the council, tended greatly to concentrate power in their hands. The other officials whom the proprietor directly appointed were usually the secretary, surveyor-general and receiver-general.[3] In Carolina, after the attempt to procure the acceptance of the Fundamental Constitutions began, each proprietor was expected to appoint a deputy to reside in the province and represent him there. These became a part of the council. In that

[1] *Archives*, Council, 1636 to 1667, p. 159. They are in this commission called conservators of the peace, with authority individually or collectively to arrest, detain and bind over; but when the time for trial came the governor must be associated with them.

[2] A provision for an elective council also appears in the Concessions of West Jersey, which are said to have been drawn by Penn. Clarkson, *Life of Penn*, 69; *N. J. Archives*, I. 265.

[3] *N. C. Recs.*, I. 50, 72, 73, 79, 165, 211, 240. *Md. Archives*, Council, 1636 to 1667, pp. 53, 101, 116, 158, 217, 219; Council, 1667 to 1688, pp. 71, 94. Hazard, *Annals of Pennsylvania*, p. 555. *Pa. Col. Recs.*, II. 61. *Penn and Logan Correspondence*, I. liii. *N. J. Archives*, I. 26, 376, 378.

document too provision was made for a large number of commissioners who were to be members of the various courts and whom the proprietors were to select. In 1643 Lord Baltimore appointed commissioners of the treasury.[1]

The other general administrative and judicial officers of the province, together with the local officers, appear in Maryland, Carolina, East Jersey and Pennsylvania to have been appointed by the governor. This must be qualified by the statement that the more important officials had the right to appoint deputies. In Maryland blank commissions[2] seem to have been sent over to be used in the appointment of sheriffs, justices of the peace, commanders of Kent Island or of the counties, constables, coroners, and in the early time for military officers. These were issued and countersigned by the governor. In later times military officers seem to have been commissioned directly by the governor.[3] The governor, however, was authorized, when occasion demanded, to appoint any civil or military officer and also to suspend officials and appoint their successors.[4] Over the selection of all officials he had great influence, for the proprietor had to rely largely upon him to suggest the names of suitable candidates.

In 1663 the Carolina proprietors, influenced it would seem by the arguments of the New Englanders and of adventurers from the Barbadoes who were petitioning for a grant at Cape Fear, proposed that the settlers should present a list of double the number of names required, from which the governor and councillors should be selected; also that the governor's term of office should be three years.[5] But this did not become a permanent feature of the Carolina system. The concessions of 1665 provided for the appointment of the lieutenant-general by the proprietors. Both governor and councillors, moreover, held during the pleasure of the proprietors, while the latter expressly reserved the appointment of the secretary and surveyor-general.[6] The Fundamental Constitutions, had it been possible fully to execute them, would have necessitated a great extension of the official system and would have strengthened proprietary control over it. To Governor Ludwell in 1691

[1] *Archives*, Council, 1636 to 1667, p. 140.

[2] Ibid., pp. 61, 62, 70, 80, 88, 90, 96, 451, 534, 539; Council, 1667 to 1688, pp. 14, 26, 27, 33, 52, 567.

[3] *Archives*, Council, 1636 to 1667, pp. 75, 86, 102, 103, 117, 118, 124, 528; Council, 1667 to 1688, pp. 10, 12, 13, 113, 120.

[4] *Archives*, Council, 1667 to 1688, pp. 80, 85, 109, 117. The commission issued to Philip Calvert in 1660 empowered him to appoint, temporarily, councillors, a secretary and a receiver-general. *Arch.*, Council, 1636 to 1667, p. 391.

[5] *N. C. Recs.*, I. 36, 41, 44, 154, 156.

[6] Ibid., pp. 79, 85, 97.

not only was authority given to fill certain specified offices, but to appoint all other officials deemed necessary for the administration of the government, but for whom no provision had been made by the proprietors or commissions already issued.[1] That the tenure of office in North Carolina remained unchanged till the close of the proprietary can be shown from published documents,[2] and if the manuscript records of South Carolina are ever printed much more abundant evidence to the same effect may be expected.

That in New York during the proprietary period the officials were wholly appointive and were exclusively controlled by the proprietor and those who exercised the appointing power under him, is susceptible not only of documentary proof, but it follows from the fact that no assembly existed in that province till near the close of its proprietary period, and the few measures which it passed affected the official system in no important respect.

But we find in Pennsylvania, especially during the earlier period of its existence, the system in vogue of filling offices by that combination of election and appointment which the Carolina proprietors seem at the outset to have been tempted to adopt. In his first Frame of Government, which was issued in 1682, Penn declared that, as the affairs of the province must be quickly ordered and settled, he would appoint judges, treasurers, masters of the rolls, sheriffs, justices of the peace and coroners, to hold during good behavior. But the method of filling these offices for which provision was made, both in the first Frame and in the one issued the next year, was this, that the council should present double the number necessary to fill the higher offices, and the assembly in the same proportion for the lower offices, and from these lists the governor should appoint the proper number in each case.[3] Offices seem to have been filled in this way, save during the interruption occasioned by Fletcher's governorship, till 1700 and 1701. Then judges and justices of the peace became by law directly appointive, and if we are to trust the implication of the Charter of Privileges, only sheriffs, coroners and county clerks continued to be chosen according to the old method, and that for short terms.[4] In West Jersey the provincial system was, in regard

[1] *N. C. Recs.*, I. 376.

[2] Ibid., 705, II. 9, 33, 129, 175, 217, 249, 264, 489, 497, 503, 515, 569, 606, 607.

[3] *Pa. Col. Recs.*, I. 35, 45. This method of filling offices was in use among the Dutch, and had been employed in New Netherland. It has also been shown that it was discussed between Penn and his advisers when he was preparing the first Frame of Government. Shepherd, *History of Proprietary Government in Pennsylvania*, p. 228, *et seq.* But no conclusive evidence, to my knowledge, has yet come to light to show that Penn and his friends got this suggestion from the Dutch.

[4] *Col. Recs.*, II. 58, 232. *Statutes at Large of Pa.*, II. 134, 148.

to tenure of office, much more seriously modified than it was in Pennsylvania. There, according to the Concessions of 1677, not only was the legislature given the power to choose the councilmen who should administer the affairs of government when the assembly was not in session, but also the commissioners of public seals, treasurers, chief justices and collectors.[1] Justices of the peace and constables were to be chosen by the people, presumably in the localities. In November, 1681, it was enacted as a "fundamental" by the legislature of West Jersey that all officers of state or trust in the province should be nominated and elected by the general assembly or under its regulations, and that these officers should be accountable to the assembly or to such as it should appoint.[2] The acceptance of this and of several other "fundamentals" was made the condition of the recognition by the assembly of Samuel Jennings, the appointee of the proprietor Edward Byllinge, as deputy-governor. In 1683 Jennings was actually elected governor,[3] though in the Concessions there was no provision that he should either be recognized or elected. The records show that as long as proprietary government lasted in West Jersey the general assembly continued to elect nearly all of the officials of the province—the councillors, commissioners for dividing and regulating land, commissioners for buying land of the Indians and selling the same to discharge the public debts, clerk and recorder, surveyor, high sheriffs, constables for the respective tenths.[4] In 1683, after the East Jersey proprietors had reached the number of twenty-four, a "fundamental constitution" was issued for that province, which provided that many of the officials, both of the province and of the localities, should be elected.[5] But this "constitution" never went into effect,[6] and therefore in East Jersey the system of appointment which had been established by the first proprietors remained substantially unchanged. In that province, unlike West Jersey, the resident proprietors never became so numerous as to constitute even approximately a majority of the voters, and hence, even had it been desired, the democratizing of the province was a task of much greater difficulty.

By showing thus that the proprietor was the immediate source of office in his province, and that by instructions and the oath he

[1] *N. J. Archives*, I. 243, 265, 266.

[2] Leaming and Spicer, *Grants and Concessions*, 424.

[3] Gordon, *History of New Jersey*, 43. Mulford, *History of New Jersey*, 243, 244.

[4] *Grants and Concessions*, 457, 467, 491, 536, 544, 569, 579. Election was the regular business of the first day of the session. In this respect the general assembly resembled a court of election in the corporate colony.

[5] *N. J. Archives*, I. 395 *et seq.*

[6] Mulford, 219.

legally maintained a permanent connection therewith, a long step has been taken toward an explanation of the nature of the provincial system of government. But it may be still further illustrated by considering that the proprietor was potentially the immediate source of honor, as well as of office. If its feudal nature were to be preserved intact, the existence within the province of a nobility would be a matter of great importance. In all the charters granted by the crown to proprietors, except that of Pennsylvania, authority was given to bestow titles of nobility. Neither Gorges nor Baltimore attempted to exercise this power, though there are indications that the latter for a time contemplated something of the sort. The Carolina proprietors, in order the better to secure their official and aristocratic interests "with equality and without confusion," gave the plan for a nobility a permanent place in their Fundamental Constitutions. The character and fate of this plan are too well known to demand extended notice here. It failed "by Reason of the want of Landgraves and Cassiques," and that was due to the fact that these titles were worthless in Europe, and that in the colonies at that time there was neither population nor wealth sufficient to form the basis of a nobility. Just here there appears with great clearness the process of levelling to which the palatinate was even at the outset subjected, when it was reproduced on this continent. In some respects the governmental machinery of the province was far superior to that of the palatinate and more highly developed, but it was in those features which fitted it for modern and semi-popular uses. The monarchical features of the palatinate or of the kingdom could be reproduced in the province, because they are consistent with society of a democratic type. But an aristocracy, both as a form of society and as a system of government, is inconsistent with modern colonial conditions.

But though the proprietors found it impossible to create a nobility, and the Quaker proprietors would have repelled the suggestion that they desired such a thing, the governmental institutions of the province were established by them, and that mainly through the exercise of the ordinance power. This was done in accordance with their charter rights, and was closely connected with the exercise of the appointing power. It remains now to be seen how, on the basis of an official system which in the normal province was the creation of the proprietor, the judicial, military and legislative institutions in a colony of this type originated.

As we have seen, the highest court in the proprietary province in the early stages of its history, was created by the appointment of the governor and council. This is true both of Maryland and

of Carolina. The Provincial Court of Maryland apparently consisted of the governor and council until 1692. Then it seems that the two bodies became distinct, though leading men of the province frequently sat as members of both. In North Carolina the earliest extant records show that the general court consisted of the deputy-governor, the deputies of the proprietors, and at least one assistant or associate.[1] This was in 1694. The court appears in this form in 1695.[2] But in October, 1702, it apparently begins to act under a commission distinct from that of the council or the proprietors' deputies. Then its commission was published and the oath of office was taken by three judges.[3] In March, 1703, two other judges took the oath. We have no further records of the court till March, 1713, and then the bench consisted of a chief justice and associate justices. The chief justice was appointed by the proprietors, and at least during and after Governor Eden's administration he appointed the associate judges.[4] In Pennsylvania the provincial court became differentiated from the council almost immediately. In 1684 an act was passed which provided that five judges should be appointed by the governor, any three of whom should constitute this court. Twice yearly they should sit in Philadelphia, and in both spring and fall at least two of them should go on circuit through the counties of the province and territories.[5] Whether the court was established thus early as a distinct body because the council was elective or whether the proprietor and early settlers of Pennsylvania were seeking in this case a closer imitation of English usage than usually obtained in the colonies at the outset, the province never abandoned the principle of the act of 1684. There was much subsequent legislation, and no little controversy over the establishment of courts, both with the home government and between the governor and assembly; as in the other provinces also the governor and council in early times continued occasionally to discharge judicial functions; but Pennsylvania adhered from the outset to a judiciary which should be as distinct as possible both from the legislature and from the executive.

Of the lower courts in the proprietary province those of the manors may be disregarded, because they played a part of no importance in the American judicial system. So far, however, as they existed, they were the creations of the executive and not of the legislature. Of the local subdivisions of the province which were used

[1] *N. C. Recs.*, I. 405.
[2] Ibid., I. 442.
[3] Ibid., 566.
[4] *N. C. Recs.*, II. 80, 148, 217, 264, 299, 535.
[5] *Charter and Laws of Pa.*, 168, 184, 225.

for governmental purposes—towns, hundreds and counties—the last were by far the most important and may here be taken to illustrate the point in view.[1] For the establishment of a county two acts were essential and decisive, the fixing of its bounds and the creation of the county court. In the early history of the proprietary province the fixing of the bounds of counties was the work of the proprietor, and was done through his governor, the council, and the officers connected with the territorial administration. With that side of proprietary activity it was closely allied. In Maryland St Mary's County at first comprised all the settled part of the province Its bounds were generally defined by the formation of outlying counties. Of the order of 1650 fixing the bounds of Charles County, and that of 1654 repealing the above ordinance and erecting and bounding Calvert County, the record has been preserved.[2] The orders for the erection of Somerset County and for the attempted erection of Worcester County on Delaware Bay are exceptionally detailed.[3] The records of the origin of the other Maryland counties which were created by prerogative in the seventeenth century do not appear.

But the more important act was the creation of the county courts. In most cases the proprietor began the establishment of these by the appointment of their officers. In January, 1638, John Lewger was appointed conservator or justice of the peace within St. Mary's County.[4] James Baldridge was at the same time appointed sheriff and coroner. Thus the officials whose presence was necessary to the existence of a county court were in being, but for some years at the outset the governor and council seem to have acted as the court of St. Mary's County. December 30, 1637, Capt. George Evelyn was appointed by the governor as commander of Kent Island, with the criminal and police jurisdiction of a justice of the peace and civil jurisdiction in cases involving £10 or less.[5] Probably on account of the remoteness of Kent Island and the difficulties with Clayborne, the commander was authorized to appoint all officers necessary for the preservation of the peace and administration of justice there, and especially a council of six or more with whom to consult respecting all important matters. Notwithstanding this, and though there is no proof of Evelyn's removal, the fol-

[1] What is here said concerning the counties applies with equal force to towns and hundreds. In reference to the hundred in Maryland see *Archives*, Council, 1636 to 1667, pp. 59, 70, 89, 91; Assembly, 1637 to 1664, p. 145 *et seq.*

[2] *Archives*, Council, 1636 to 1667, pp. 259, 308.

[3] *Archives*, Council, 1667 to 1688, p. 108.

[4] *Archives*, Council, 1636 to 1667, pp. 60, 85.

[5] Ibid., p. 59.

lowing February[1] three other justices of the peace were appointed by the governor for Kent Island and given the authority to hold there a "court leete." A sheriff and a coroner were appointed at the same time. Other appointments and orders follow, till in 1642 Giles Brent was made commander and two county commissioners were appointed.[2] It was at that time that Kent Island appeared definitely as a county.[3] When Charles and Calvert Counties were erected we have record of the appointment only of a commander in one case and of a sheriff in the other. But in June, 1661, after the disturbed period of the Commonwealth had passed, an elaborate commission[4] of the peace was issued, appointing a board of justices for each of the counties then existing in the province. Such commissions were renewed at intervals thereafter.[5] But of these counties, only one had been erected by act of assembly. That was Ann Arundel, and it was created by a law of 1650.[6] No other act for a similar purpose was passed till 1695.[7] Hence, with one exception, the original counties of Maryland were created, that is, their bounds were fixed, courts established, magistrates appointed, and to an extent the jurisdiction of the courts was determined, by prerogative. The institutions thus founded were developed and perfected by the proprietor in his legislature. Statutes providing for this appear in the eighteenth century, but they simply elaborate the details of a system already established by ordinance and custom.

Power to erect counties was given to the Carolina proprietors in their charters, but, as interpreted by them at the outset, it meant the subdivision of the vast territory they received into a number of provinces, each with a governor and assembly. These, however, were called counties.[8] In the concessions of 1665 the proprietors speak of "the county of Clarendon, the county of Albemarle, and the county of ——, which latter is to be to the southward or westward of Cape Romania, all within the province aforesaid." But the

[1] *Md. Archives*, Council, 1636 to 1667, p. 62.

[2] Ibid., pp. 80, 90, 97, 105. Assembly, 1637 to 1664, p. 55.

[3] In 1695 Kent Island was annexed to Talbot County.

[4] Ibid., p. 422.

[5] Ibid., pp. 448, 471, 534, 537. Council, 1667 to 1688, pp. 14, 33, 52, 97. Sheriffs and coroners were appointed in the same way, save for a few years subsequent to 1662, when a law was in force that sheriffs should be appointed from lists presented to the governor by the county justices.

[6] *Archives*, Assembly, 1637 to 1664, pp. 283, 292.

[7] Bozman, *History of Maryland*, II. 246 n.

[8] *N. C. Recs.*, I. 44, 79 *et seq.* In 1663 these proposed subdivisions were called by the proprietors colonies. In the "proposals" of that year they spoke of the settlement near Cape Fear as "the first colony." We have here a reminiscence of the language applied in 1606 to Virginia. But I have not found the settlement on the Chowan or that south of Cape Romania referred to as the second colony.

government planned for them, and which developed in Albemarle County, was provincial. Each was intended to be a county palatine, rather than a county in the modern sense of the term. But in the Fundamental Constitutions the modern county appears. The number created was to be the same as the number of landgraves, and they were to be increased as settlement progressed. Each county was to contain eight seigniories, eight baronies and four precincts, each precinct to include six colonies. That would make the area of each county to be 480,000 acres,[1] three-fifths of which was to be open for settlement and two-fifths to be held as seigniories and baronies. In every county there should be a court consisting of a sheriff and four justices, one for each precinct, and all to be commissioned by the palatine's court.[2] Neither was the civil or the criminal jurisdiction of these tribunals limited, save by the right of appeal to the proprietor's court in personal causes involving more than £200, and in any cause involving title to land, or any criminal cause on payment of £20 as security.

The Concessions and Agreement of 1665 provided at length for an assembly, and among its powers appears[3] that for "constituting all courts for their respective counties, together with the limits, powers and jurisdiction of said courts;" also the officers, their number, titles, fees and perquisites. These Concessions were repeated in instructions to the governor of Albemarle in 1667.[4] But from the records as preserved it cannot be proved that courts were established in Albemarle County under acts of assembly. If the intentions of the proprietors ever were designedly so liberal as is indicated by the Concessions of 1665, they abandoned that attitude and policy when they published Locke's Constitutions. Their instructions from that time are drawn in the spirit of the Constitutions and not of the Concessions. The acts of the first assembly of Albemarle (January, 1670), so far as ratified by the proprietors, have been preserved, and none of them provides for the establishment of courts. In one of them the court of the governor and council is referred to as in existence. This was to be expected, and probably it was the only one in the little settlement. The instructions of 1670 to the governor and council of Albemarle[5] empowered them to establish such and so many courts as they should think fit, till "our Grand Modell of Government" could be put into execution. That, as we know, provided for an elaborate judicial system to be established by ordinance, after the Constitutions had been

[1] Arts. 3 and 4.
[2] Art. 61.
[3] *N. C. Recs.*, I. 82.
[4] Ibid., p. 168.
[5] Ibid., p. 182.

accepted. In the instructions to the governor and council of Albemarle in 1676, they were commanded not only to administer justice themselves according to the laws established, but to propose in the assembly the passage of laws for jury trial in criminal cases, as provided for in Article 69 of the Fundamental Constitutions, and for bail pending trial. In the instructions issued to Governor Henry Wilkinson in 1681 [1] he was empowered, with the advice of the council, to establish such courts as he should think fit, till the Fundamental Constitutions could be put into operation. Ludwell, in 1691, was instructed, with the consent of three of the proprietors' deputies, to appoint a judge and four justices to try cases in any of the counties which had fifty freeholders qualified to serve on juries.[2] In 1692 the assembly of South Carolina admitted that the power to erect courts belonged to the proprietors, though the claim was made that it should be regulated by law.[3] The extant records of the court of Perquimans Precinct, apparently the earliest records of a county court which have preserved in North Carolina, begin in 1693.[4] In 1733 Governor Burrington had a controversy with two members of the council about the right to erect precincts and was able to show that, save in the case of one precinct formed in 1722, all had been erected without the co-operation of the legislature. By an act of 1715 the legislature recognized as legal units of representation the precincts which down to that time had been established by ordinance.[5]

The records indicate that in both the Jerseys the proprietors in establishing counties and courts acted mainly through the legislature, but in New York Yorkshire with its ridings was created by Governor Nicolls, and in the Duke's Laws, which were published by proclamation, provision was made for the holding of courts of sessions in each riding.[6] But the county system was by the acts of 1683 and 1691 remodelled and extended through those parts of the province which were inhabited by the Dutch.

When in 1664 the English took possession of the Delaware, local government there was continued without interruption. The Dutch magistrates were continued in office till successors were appointed and government established under English titles and forms.[7] But both the officers who were displaced and those who succeeded were appointed by their superiors at New York. Governors Nicolls, Lovelace and Andros appointed constables, surveyors,

[1] *N. C. Recs.*, I. p. 334.
[2] Ibid., p. 375.
[3] Rivers, p. 434.
[4] *N. C. Recs.*, I. 386.
[5] *N. C. Recs.*, III. 444 *et seq.*
[6] *Charter and Laws of Pennsylvania*, p. 20.
[7] *Pennsylvania Archives*, 2d Series, V. 544, 551, 572.

sheriffs and other officials for the keeping of the peace and the administration of justice on the Delaware,[1] and fully controlled them in the performance of their duties. By these acts three courts were established, one at Upland, another at Newcastle and a third at the Whorekills. Each was provided with justices, a sheriff and a coroner.[2] They were then county courts and later came to be so known. Sessions continued to be held with considerable regularity. The records of the court at Upland have been preserved[3] and show that it continued without interruption till it became the court of Chester County, Pennsylvania. The region within the jurisdiction of the two other courts was annexed to Pennsylvania in 1682 as the Three Lower Counties of Newcastle, Jones (later Kent) and Deal (later Sussex). Upland and Newcastle had been known as counties at least since 1678.[4] Jones and Deal were, it would seem, separately organized within four months after Penn received from the Duke of York the deed which it was supposed transferred to him the Delaware region.[5] At the same time, in addition to Chester, Philadelphia and Bucks counties were established in Pennsylvania. This all was done before the first assembly of Pennsylvania met at Chester.[6] In the first and second Frames of Government, moreover, the proprietor vested in the governor and council the right to establish courts. To the council and assembly he gave the privilege, already referred to, of nominating double the number of candidates for justices and other court officers, from which lists the governor made appointments. In this way the earliest county courts in Pennsylvania were brought into existence, by the exercise of the ordinance power and in harmony with English custom. But legislation regulating the jurisdiction of these and the other courts of the province began in 1683 and continued steadily thereafter. The other counties of the province also were erected by law, Lancaster in 1729 and the others at later dates.[7]

The relation in which at the outset the proprietor and governor stood toward the system of defence was the same as that which he bore toward the courts of the province. As we have seen, the proprietor, by virtue of the authority he had received from the king,

[1] *Pennsylvania Archives*, 2d Series, V. 585, 597, 598, 600, 615, 618, 619, 649–654, 686, 689, 690, 697, 728; VII. 818. *Charter and Laws of Pennsylvania*, 446 *et seq.*

[2] Edmund Cantwell was high sheriff of the river. *Archives*, V. 619. See the official lists in *Pa. Archives*, 2d Series, IX. 644 *et seq.*

[3] *Record of the Upland Court, Memoirs of the Historical Society of Pennsylvania*, VII.

[4] Ibid., p. 119.

[5] Hazard, *Annals of Pennsylvania*, pp. 602, 605, 606.

[6] Ibid., p. 607.

[7] *Charter and Laws of Pa.*, p. 127. Miller, *Laws of Pa.*, fol. 1762, II. 23, 27, 36, 38. Franklin, *Laws of Pa.*, p. 359.

made his governor commander of the forces by land and sea. All officers, military and civil, whose duties might contribute toward the work of defence, were commanded to obey him. In the commissions, particularly those of Carolina, the military powers of the governor stood in the forefront, and he was empowered to resort to all measures which were necessary for defence. As Pennsylvania, however, developed no militia system till compelled to do so by the ravages of the enemy during the last intercolonial war, she can in this connection safely be left out of account. Of provisions for defence in the Jerseys, while under the proprietors, traces are very faint. Their protected position combined with other causes to divert attention from such measures and cause them to seem unnecessary. But Maryland, Carolina and New York provided for defence according to characteristic proprietary methods. In them all military officers were appointed and commissioned by the governor.[1] The system of training was under his direction, and when expeditions were fitted out he gave orders, directions and instructions both before and after the troops had set out upon the march. In Maryland he occasionally commanded in person. The enforcement of the assize of arms was ultimately a duty of his, as was the procuring of supplies of all kinds and the keeping of a magazine. The work of building, repairing and garrisoning forts also devolved upon him. The subordinate officers in Maryland through whom the governor acted were in early times the captain of the band of St. Mary's, the captain of the band of Kent Island, the commanders of the counties. From time to time commanders were appointed for special expeditions, against either the Indians or the various enemies of the province, internal and external. Thomas Cornwallis was repeatedly summoned[2] to such a duty as this. When after 1660 the raids of the Five Nations against the southern tribes became frequent, expeditions had several times to be organized to restore quiet in the northern part of the province. The soldiers for these were raised by draft upon those liable to military service in the counties.[3] In 1658, by order of the governor and council, captains were appointed to command and train the militia in various specified sections of the province.[4] We presently find that the trained bands of St. Mary's County were already formed into a regiment under a colonel.[5] This probably was the beginning of the organization of the entire militia system with the county as a unit. The office of

[1] *Md. Archives*, Council, 1636 to 1667, pp. 75, 86, 88, 102, 103, 127, 131, 344, 349, 392, 409, 427, 522; Council, 1667 to 1688, pp. 10, 12, 14, 21; Council, 1688 to 1693, pp. 45, 56, 66, 67. *N. C. Recs.*, I. 84, 97, 171, 194, 336, 695, 780.

[2] *Arch.*, Council, 1636 to 1667, p. 131.

[3] Ibid., 416, 422

[4] Ibid., 344, 349, 351, 401.

[5] Ibid., 392.

muster-master-general was revived and bestowed on the colonel of the St. Mary's regiment.[1] Whether the system of county regiments had come fully to prevail before the institution of royal government in Maryland the authorities do not clearly reveal. That it had not done so in New York at the close of the proprietary period is shown by the statement of Andros in 1678, that the militia then consisted of companies for the most part with less than one hundred men each.[2] The system of training and service by companies, for which provision was made in the Duke's Laws, was not materially changed till after the permanent establishment of counties in New York. Of the militia system in Carolina during the proprietary period, save the general fact of the extent of the governor's legal control, we get no satisfactory information in the extant records.

In the development of government war and finance are always closely connected, and largely through this connection has the legislature been able to win its position of leadership. The history of Maryland furnishes an illustration of this. The heaviest expenses of its government were incurred in its military expeditions. The right to raise all revenue, which did not accrue in the form of rents, alienation fines and fees, belonged to the general assembly. It early made use of this right as a means of limiting and regulating the exercise of the proprietor's powers in the domain of military affairs. In 1650 a law was passed[3] providing that freemen should not be compelled to serve outside the province, and that martial law should be enforced only within a camp or garrison. In 1661 an act was passed prescribing the quota which should be raised from each county for a prospective expedition against the Indians, and the wages of the officers and soldiers.[4] The governor and council were empowered to raise the amount which was necessary by a poll-tax according to the custom of the province. If it was deemed necessary, they might also, during the recess of the assembly, raise additional forces. In 1676[5] a very comprehensive act was passed which prescribed the settled policy of the province in reference to training, the raising of supplies for war, the amount of wages which should be paid, the providing of pensions for the disabled, and the impressing of provisions. The act explicitly defined the mode of raising the revenue which should be required and provided that certain members of the assembly should see that it was expended for the purpose designated. Regularly, from the

[1] Ibid., 215, 409, 545.
[2] *N. Y. Col. Docs.*, III. 260, 263. *Charter and Laws of Pa.*, 38.
[3] *Arch.*, Assembly, 1637 to 1664, p. 302. McMahon, *History of Maryland*, p. 161.
[4] *Arch.*, Ass., 1637 to 1664, p. 407.
[5] *Arch.*, Ass., 1666 to 1676, p. 557.

first, revenue had been appropriated for the proprietor's use, but this act shows, perhaps better than any other which was passed during the early period, how the tax-granting body by availing itself of financial needs created by war could effectively limit the exercise of the prerogative.

It has now been shown, so far as space and published records will allow, that the proprietor was in the full legal sense the official and administrative head of the province. In the Fundamental Constitutions of Carolina his executive powers were distributed among a board of eight, so that each should hold one of the great offices of state and a court should result which should be a reflection of the English court, as it was in the later Middle Age or during the period of the Tudors. The powers which in the case of Carolina were analyzed and distributed in this way, were in the other proprietary provinces, with the exception of New Jersey, centered in the hands of an individual. The proprietor of Maryland, for example, was his own admiral, constable, chancellor, chamberlain, chief justice, high steward and treasurer,[1] and exercised these powers either in person or by delegation. An obligation to obey the proprietor, as the one in whom these powers met, rested then upon the inhabitants of the province, and it was briefly and authoritatively stated in the oath of fidelity. As we have seen, the taking of this oath was one of the conditions of the socage tenure. It was required in the corporate colony, though the rent, which was the other condition of the tenure, was not mentioned in the land-grants. The influence of tenure in the colony of that type may be said to have vanished, and the oath, as there taken, to have implied a purely political obligation. Provision for it was made by an act of the general court, and in Massachusetts, for example, the oath bound the freeman to obey and support the government of the commonwealth, not to plot any evil against it, but instead to reveal to the proper authorities plans of this nature as soon as their existence should be known. In giving his vote the freeman promised to seek conscientiously the public weal without respect of persons or fear of any man. The only difference between the oath of the resident and that of the freeman[2] consisted in the omission from the former of this last provision. But in the oath of fidelity as imposed in the proprietary province appears the element of personal fealty which was so characteristic of the feudal relation. Moreover, it was due to the proprietor as of

[1] The statement of Sir Ferdinando Gorges in the *Briefe Narration* concerning his plans for the government of his province furnishes another illustration in point. Baxter, *Gorges and the Province of Maine*, II. 66.

[2] *Mass. Recs.*, I. 115, 117.

right and not as the result of legislative enactment. In Maryland, as administered in 1643,[1] the oath contained a solemn promise to obey the proprietor and his heirs in temporal matters as the absolute lords and proprietors, and to defend and maintain their royal jurisdiction and dominion over the land and people of the province, as granted in the charter. His territorial rights were also recognized by the engagement not to receive or purchase any lands in the province from those—even Indians—who did not derive their title to them from the proprietor, and to hold them only "to the use of the said Lord or Proprietor." The personal element in the oath appears very clearly in the form prescribed in 1648. "I . . . do Swear that I will bear true faith unto his Lordship and to his heirs as the true and absolute Lords and Proprietarys of the said Province, and . . . will at all times, as Occasion shall Require, to the utmost of my Power defend and maintain all such his said Lordship's and his heirs' Right, Title, Interest, Priviledges, Royal Jurisdictions, Prerogative Proprietary, and Dominion over and in the said Province of Maryland . . . and over the People who are and shall be therein," according to the powers specified in the royal charter.[2] Among the bills which in 1639 for some unknown reason failed to become law, but all of which embody ideas held in the province at the time, was one[3] defining the crime of treason against the proprietor in terms borrowed from the statute of Edward III. and providing that it should be punished in the same way as treason against the king. In 1642 a law[4] was actually passed which affixed the penalty of death, forfeiture of goods and corruption of blood to the crimes which were mentioned in the bill of 1639, but they were no longer expressly termed treason. As soon as the influence of the Puritans who settled at Annapolis appears in the affairs of the province, we find them protesting against the words "absolute lord" and "royal jurisdiction" in the oath, as "far too high for a subject to exact, and too much unsuitable to the present liberty which God had given the English subjects from arbitrary and popish government." Therefore from the oath which was prescribed in 1650 by a legislature in which the Puritan element was strong the objectionable phrases were omitted and the words "just and lawful" introduced to signify the kind of authority which the colonist obligated himself to obey.[5] But this oath contained the additional require-

[1] *Arch.*, Council, 1636 to 1667, p. 145.

[2] Ibid., p. 196.

[3] *Archives*, Assembly, 1637 to 1664, p. 70.

[4] Ibid., p. 158.

[5] Bozman, II. 403, 423, 671. *Arch.*, Council, 1636 to 1667, p. 299. Substantially the same form was in use in 1681. *Arch.*, Council, 1667 to 1688, p. 310.

ment that the individual taking it should with all speed reveal any plot against the person or rights of the proprietor, the existence of which should come to his knowledge. The oath of fidelity was administered not only to officials and members of the assemblies, but after 1648, save for a time during the troubles of the Commonwealth,[1] to all who received a grant of land in the province.

The Carolina proprietors required that their governors, the councillors, assemblymen, all officials of the province, and all who would receive grants of land or enjoy political rights should take not only the oath of allegiance to the king, but that of fidelity to themselves.[2] The latter required that they should be faithful to the proprietors, promote the peace and welfare of the province, and discharge with fidelity the trusts imposed upon them. Those who could not swear should subscribe, and the subscription should be as binding as the oath. But the proprietors of Carolina never went to the extreme of claiming or countenancing the idea that the crime of treason could be committed against them. Conspiracy and rebellion against their government they interpreted to be treason against the king.[3] This was the attitude assumed by all proprietors subsequent to the Restoration. The requirements of the Carolina proprietors were reproduced in New Jersey, and in a proclamation issued in 1668 to the inhabitants of Middletown and Shrewsbury they were forbidden to vote or hold office without taking the oaths.[4] That a similar oath was administered in New York there is abundant evidence.[5] In Pennsylvania again the situation was peculiar because of the number and influence of the Quakers. But even there it was enacted by the assembly at Chester in December, 1682, that all officeholders in the province and all who had the right to choose or be chosen members of the assembly, should subscribe a declaration of fidelity to the proprietor, his heirs and assigns, and should not "consent to nor conceal any person or thing whatsoever to the breach of this solemn engagement." This was afterwards placed among the "fundamental laws," which, like the Frames of Government, could be amended or repealed only by the consent of the proprietor and of six-sevenths of the members of the provincial council and assembly.[6]

[1] *Arch.*, Ass., 1637 to 1664, p. 348. Bozman, II. 514. *Arch.*, Council, 1636 to 1667, pp. 226, 228, 256, 334, 469.

[2] *N. C. Recs.*, I. 80, 166, 181, 334.

[3] Ibid., 345, 368.

[4] *N. J. Archives*, I. 30, 48, 58. For the administration of the oaths of allegiance and fidelity in later times see the *Records of the Governor and Council of East Jersey*, 1682 to 1703, pp. 5, 102.

[5] *N. Y. Col. Docs.*, III. 71, 74, 331.

[6] *Charter and Laws of Pennsylvania*, 122, 154.

It is clear then that in the proprietary province the oath of fidelity was the equivalent of the oath of allegiance in the kingdom. That it was so regarded is shown in the case of Maryland, by a letter from the council to the proprietor, written in January, 1689.[1] At that time the spirit of revolt was appearing which culminated in Coode's rebellion. In 1684 the proprietor had informed the assembly that for the future he expected every member of it to take the oath. Two years later the council proposed that it be taken, but the assembly excused itself. Again in 1689 the council forced the subject on the attention of the assembly, and told them that "fidelity was allegiance, which by the laws of England might be proposed even to the House of Commons in Parliament sitting, and that the refusal of allegiance did imply rebellion" After some opposition the oath was taken by all save one member, who was a Quaker.

HERBERT L. OSGOOD.

(*To be continued.*)

[1] *Arch.*, Council, 1688 to 1693, p. 62.

THE DEVELOPMENT OF THE LOVE OF ROMANTIC SCENERY IN AMERICA

FRIEDLÄNDER and others have made it a familiar thought that admiration and affection for wild and romantic scenery are modern feelings, belonging chiefly to the period since the middle of the last century. Among the ancients, isolated instances of such feelings may be found, but are certainly extremely rare. Their admiration was reserved for cultivated scenery, mild and gentle, meadows and orchards and lawns and springs. A characteristic passage is that in which Cicero notes as remarkable, that we take pleasure in places where we have long sojourned, *even though* they be mountainous and wooded. The medieval writers were, almost without exception, subject to the same limitations. Indifference to wild and mountainous scenery, abhorrence even, continued to be almost universal throughout the sixteenth and seventeenth centuries, and indeed until after the middle of the eighteenth. Montaigne and Addison passed over the Alps without recorded sign of pleasure. Goldsmith, after visiting the Highlands of Scotland, wrote in disgust that "every part of the country presents the same dismal landscape," while soon afterward he wrote of Holland that "nothing can equal its beauty. Wherever I turned my eye, fine houses, elegant gardens, statues, grottos, vistas presented themselves. Scotland and this country bear the highest contrast; there, hills and rocks intercept every prospect; here it is all a continued plain." If a few passages in certain poems be left out of account, it may fairly be said that the modern feeling with respect to wild scenery was virtually non-existent at the time when these words were written (1754). It was in the next year that the youthful Gibbon made the tour of Switzerland, and the manner in which, writing his autobiography thirty years later, he speaks of these travels, is plain evidence that the great change came about, substantially, within a generation. In every place he visited the churches, arsenals, libraries, and all the most eminent persons; he examined Switzerland after the same manner in which he would have examined a country that had no scenery. "The fashion of climbing the mountains and reviewing the glaciers," he says, "had not yet been introduced by foreign travellers who seek the sublime beauties of nature." The *Nouvelle Héloise* was published in 1759. A generation later, before Gibbon had

died, came that time in Wordsworth's youth which he has described in the lines written near Tintern Abbey, when

> "The sounding cataract
> Haunted me like a passion: the tall rock,
> The mountain, and the deep and gloomy wood,
> Their colours and their forms, were then to me
> An appetite; a feeling and a love,
> That had no need of a remoter charm,
> By thought supplied, nor any interest
> Unborrowed from the eye."

And Wordsworth, and others like-minded with him, have taught to all subsequent generations a passionate love of wild and romantic scenery which sharply differentiates the modern feeling for nature from that of earlier times.

The history of this development has been traced in English and other European literatures. It is of some interest to examine its course in America. Shall we find such a change supervening, here also, within a limited time? Shall we find it proceeding spontaneously or by imitation? If the former, we may find in it some confirmation of that opinion which seems wisest in the European case, that this modern attitude toward nature arose not by the influence of Rousseau or any one writer, but that the change was one phase of that general "modulation of key" which we call the romantic movement. To the questions thus put, the travellers and the poets will furnish the best answers; and among travellers it is plain that those who are distinctively American will deserve the greatest weight.

Travellers to the colonies in the seventeenth and eighteenth centuries were fond of recording their experiences in the new country, but most of them confined their descriptions to the social, economic, political and religious characteristics, with an occasional digression into the fields of geography or natural history. If they spoke of the land, it was generally with reference to its productive capacity, the wheat or tobacco which a given region yielded. There were chapters devoted to the climate, the soil, rivers and navigation, but not to scenery. Nor did many of them penetrate into the interior, where the wild scenery was to be found. But even those who braved the difficulties of inland discovery seem little impressed by anything save the horror and desolation of the region.

The first visit to the White Mountains, then called the Crystal or White Hills, seems without doubt to have been made in 1642, when Darby Field, an Irishman, in company with several others,

ascended them, hoping to find minerals of value. The account as given by Winthrop in his history of New England is as follows.

"In the same year, 1642, one Darby Field, an Irishman, with some others travelled to an high mountain, called the White Hills, an hundred miles or near upon to the west of Saco. It is the highest hill in these parts of America. They passed there many of the lower and rainy clouds as they ascended up to the top thereof, but some that were there afterwards saw clouds above them. There is a plain of sixty feet square on the top, a very steep precipice on the west side, and all the country round about them seemed like a level and much beneath them. There was a great expectation of some precious things to be found, either on the top or in the ascent, by the glistering of some white stones. Something was found like crystal, but nothing of value."

There is not a word of the grandeur of the scenery, no reference to that which is romantic or picturesque, only a bare statement of facts as to situation, the dimensions of the plain and the steepness of the precipice.

Travellers to this region were not numerous during the seventeenth century. The Indians had a superstitious veneration for the summit, as the habitation of invisible beings, and not only never ventured to ascend it themselves, but also endeavored to dissuade everyone from the attempt. They were most earnest in their entreaties to Darby Field not to undertake the daring feat and thus stir up the wrath of the gods. The first visitor to leave an account of his journey in print was John Josselyn, the naturalist, who visited the mountains between 1663 and 1671, and from whom, in another age, we might expect a glowing account, or at least some allusion to the impression produced upon him by their grandeur. In his *New England Rarities Discovered* he says: "From this rocky hill you may see the whole country round about; it is far above the lower Clouds and from hence we beheld a vapor (like a great Pillar) drawn up by the Sun Beams out of a great Lake or Pond into the Air, where it was formed into a Cloud. The country beyond these Hills northward is daunting terrible, being full of rocky Hills, as thick as mole-hills in a meadow and clothed with infinite thick woods." It is plain that the wildness impressed him, but not with feelings of admiration.

In his *Relation of Two Voyages to New England* Josselyn tells of a "neighbour" who "rashly wandered out after some stray'd cattle, lost his way, and coming as we conceived by his Relation near to the head spring of some of the branches of the Black Point River or Saco River did light into a Tract of land for God knows how many

miles full of delfes and dingles and dangerous precipices, rocks and inextricable difficulties which did justly daunt, yea, quite deter him from endeavoring to pass any further; many such like places are to be met with in New England." Only once is the writer betrayed into an expression which borders upon appreciation of such scenes, and that is a mild reference to "one stately mountain . . . surmounting the rest."

Lahontan, writing of his voyage to America in 1688, speaks of a cataract as "fearful." In the same year John Clayton, a Yorkshire rector, sent to the Royal Society a *Letter giving Account of Several Observables in Virginia*, which contains chapters on the air, water, earth and soil, birds and beasts of Virginia, but not one word describing the natural scenery of the colony. Robert Beverley, who published his history of that colony in 1705, had certainly a vivid feeling for the beauties of nature as he saw them; but as for the mountains, he regards them from a strictly utilitarian point of view. "A little farther backward there are mountains which indeed deserve the Name of Mountains for their Height and Bigness; which by their difficulty in passing may easily be made a good Barrier of the country against Incursions of the Indians, etc., and shew themselves over the Tops of the Trees to many Plantations at 70 or 80 Miles distance very plain. These Hills are not without their Advantages; for out of almost every riseing Ground throughout the Country there issue abundance of most pleasant Streams of pure Chrystal Water, than which certainly the World does not afford any more delicious . . . where the finest water works in the World may be made, at a very small expence."

Daniel Neal, in his *History of New England*, published at London in 1719, in a description of New Hampshire, says: "The Inland part of the country is high and mountainous and consequently barren," a concise, but hardly an appreciative way of disposing of the White Mountains. That mountain scenery had not been reported to him with high laudations may be inferred from a casual remark in his description of Connecticut: "The East parts of this Country are pleasant and fruitful, but the Western are swampy and mountainous." Swamps and mountains were equally undesirable features of a landscape in the minds of our early forefathers. In 1729 Burton's *English Empire in America* appeared. It contains a description of Virginia, but no mention of the Natural Bridge, nor anything to denote an interest in the picturesque and romantic scenery of the colony. Except for the Rev. Andrew Burnaby (1759, 1760), there is perhaps no praise of the American mountains by foreign travellers until the time of the Revolution.

Meanwhile, in sporadic instances we find native expressions of appreciation of wild scenes. In the New York *Colonial Documents* one finds *The Journal and Relation of a New Discovery made behind the Apulcian Mountains to the West of Virginia*, written in 1671, in which we are assured that "In a clear place on the top of a hill [the discoverers] saw over against them to the southwest a curious prospect of hills, like waves raised by a gentle brize, riseing one behind another. . . . They then returned homewards again, but when they were on the Top of the Hill they took a prospect as far as they could view and saw westerdly over certain delightful hills." More conclusive in its bearing is the following phrase from the same account: "They had here a pleasing but dreadful sight to see Mts. and Hills piled one upon another." Here is an unmistakable instance of admiration for the grand, the awful—"pleasing but dreadful" is precisely the note of romanticism—and an illustration the more striking because it is the only one which the present writer has discovered in seventeenth-century descriptions of America.

Early in the eighteenth century another instance occurs, again a sporadic one, but explicit. Passages from Col. William Byrd's *History of the Dividing Line run in the Year 1728* clearly show that that vivacious writer shared the modern spirit. First, as to the admiration of mountains. "The smoke continued still to veil the mountains from our sight, which made us long for rain, or a brisk gale of wind, to disperse it. Nor was the loss of this wild prospect all our concern." "In the afternoon we marched up again to the top of the hill to entertain our eyes a second time with the view of the mountains, but a perverse fog arose that hid them from our sight." "In the evening a brisk northwester swept all the clouds from the sky, and exposed the mountains, as well as the stars, to our prospect. That which was the most lofty to the southward . . . we called the Lover's Leap." Perhaps even more striking exhibitions of the modern spirit will be thought to lie in the two extracts which follow: "The Irvin runs into the Dan about four miles to the southward of the line, and seemed to roll down its waters from the N.N.W. in a very full and limpid stream, and the murmur it made, in tumbling over the rocks, caused the situation to appear very romantic and had almost made some of the company poetical, though they drank nothing but water." "As we passed along, by favor of a serene sky, we had still, from every eminence, a perfect view of the mountains, as well to the north as to the south. We could not forbear now and then facing about to survey them, as if unwilling to part with a prospect which at the same time, like some rake's, was very wild and very agreeable." This last phrase, whimsically as it

is framed, is of precisely the sort we are seeking, strangely as it sounds from a contemporary and friend of Pope.

Let us return to Burnaby. Travelling through the middle settlements of America in 1759 and 1760, he writes of the Blue Ridge, "When I was got to the top, I was inexpressibly delighted with the scene which opened before me." He speaks of the Shenandoah as "exceedingly romantic and beautiful." To quote further: "I could not but reflect with pleasure on the situation of these people, and think if there is such a thing as happiness in this life, that they enjoy it . . . they are everywhere surrounded with beautiful prospects, sylvan scenes, lofty mountains, transparent streams, falls of water, rich vallies and majestic woods." Pownall's *Topography of the Middle Colonies of North America* is equally unmistakable in its language. "The general Face of the country when one travels it along the Rivers through parts not yet settled, exhibits the most picturesque Landscapes that Imagination can conceive, in a variety of the noblest, richest Groupes of Wood, Water and Mountains."

From the Revolution on, there is little doubt of the general existence of the new sentiment in the cultivated American mind. If it were not impossible to fix upon a definite date for the beginning of movements in the history of mind, one would be tempted to select the years from 1780 to 1785 as the time when this new spirit of admiration for wild and romantic scenery became fully established. Before this, its manifestations had been exceptional; henceforth they are abundant in the writings of both natives and foreigners. Many of the foreign travellers of this period were Frenchmen, and it is perhaps to be expected that they would be among the first to exhibit this tendency. Chastellux's expression (1780–1782) is characteristic: "all this apparatus of rude and shapeless Nature, which Art attempts in vain, attacks at once the senses and the thoughts and excites a gloomy and melancholy admiration." Smyth's *Tour in America* (1784) shows the new tendency even on its title page, "An account of the present situation of the Country . . . Mountains, Forests, Rivers, and the most beautiful, grand and picturesque Views throughout that vast Continent." If no date were given for the publication of the book this title-page would almost prove that its date was not earlier than the latter half of the eighteenth century. The heading of one of the chapters is: "Description of a most extensive, grand and elegant perspective. Ideas raised in the mind." Before this time most travellers in America had not been burdened by ideas raised in the mind by the scenery.

More interesting to the present purpose, no doubt, are the ex-

pressions of American observers in these years. Take, for instance, Jefferson's remarks on the Natural Bridge, in his *Notes on Virginia* (1781–1784). He declares it "the most sublime of Nature's works." "It is impossible," he says, "for the emotions arising from the sublime to be felt beyond what they are here: so beautiful an arch, so elevated, so light, and springing as it were up to Heaven. The rapture of the spectator is really indescribable." The Reverend Archibald Alexander, who as a youth visited it about 1789, speaks of it as exciting in him "an emotion entirely new," "a genuine emotion of the sublime;" and adds, "I never saw one of any class, who did not view the object with considerable emotion." Evidently the taste for such scenery was becoming endemic.

If we turn again to the White Mountains, so little thought of in colonial times, we find the *Belknap Papers* of 1784 a mine of suggestion. In his diary of this year (July 28) Dr. Belknap says of a meadow in the Notch, "This meadow, surrounded on all sides with mountains, some of them perpendicular, is a singularly romantic and picturesque scene." Again, in describing the Notch, he calls it "a most sublimely picturesque and romantic scene." We have already noticed in Smyth's *Tour* a reference to "ideas raised in the mind" by the scenery. This suggestion of a psychological effect we find still more pronounced in Dr. Belknap's descriptions. "These beauties of nature gave me inexpressible delight. The most romantic imagination here finds itself surprised and stagnated. Everything which it had formed an idea of, as sublime and beautiful, is here realized. Stupendous mountains, hanging rocks, chrystal streams, verdant woods, the cascade above, the torrent below, all conspire to amaze, to delight, to soothe, to enrapture; in short to fill the mind with such ideas as every lover of Nature and every devout worshipper of its Author would wish to have." He thinks that "a poetic fancy may find full gratification amidst these wild and rugged scenes, if its ardor be not checked by the fatigue of the approach;" but would caution the observer to "curb the imagination and exercise judgment with mathematical precision, or the temptation to romance will be invincible."

John Eliot, writing to Dr. Belknap, says: "Brother Cutler is romantic in his description, as well as you, in the short touch you gave me in your letter." It was during this year, 1784, that the Reverend Manasseh Cutler, in company with several others, made the first scientific expedition to the White Mountain region, and one is not surprised to find in his journals such memoranda as: "we had here a grand view of ranges of mountains arising one

above another;" "the country to the north very mountainous, and its appearance has a most noble effect."

In the closing decade of the century there is no dearth of expressions of admiration for the picturesque and romantic; indeed they are so common as to give the impression of their being somewhat of a "fad" at the time. Dr. Thomas Cooper, in his *Some Information respecting America* (1794), in describing the mountain scenery of Pennsylvania, says: "It is impossible to pass this part of the journey without being struck with the perpetual succession of beautiful and romantic situations, numerous and diversified beyond what any part of England can supply within my recollection." A lesser person, a certain James Elliot, who is described on the title page of his *Poetical and Miscellaneous Works* as "a citizen of Guildford, Vermont, and late a non-commissioned officer in the legion of the United States," has left sketches of the Whisky Insurrection in Pennsylvania in 1794, in which he finds time to describe the scenery as well as the movements of the militia ordered out to oppose the rioters in the western counties. One entry in his diary tells us that at Harrisburg "the traveller has a very picturesque prospect of a lofty ridge of the Blue Mountains." Another entry three weeks later describes the passage of the mountains. "The Sun had risen about an hour before we moved this morning. Began to ascend the mountain and after a fatiguing march of two or three hours reached the summit, where a prospect inexpressibly grand presented itself to our view. To the north, south and west appeared a little world of mountains, arrayed in all the majesty of nature and destitute of a single sign of art or cultivation." This last could hardly be improved upon as an example of the romantic or modern way of looking at natural scenery. In a sketch of a summer passage up the Ohio, he speaks of the scene as "indescribably beautiful and romantically picturesque," and describes the western part of America as abounding "in picturesque situations and beautiful landscapes."

Graham's *Letters* (1797) speaks enthusiastically of the "romantic scenery" of Vermont. "More picturesque . . . situations for building upon can scarcely be conceived, than those formed by the curvatures of the water along this delightful shore . . . and here let me observe that the most romantic imagination can scarcely conceive anything more commanding than the scenes many of these settlements present to the view." Yet only fourteen years earlier Charles Varlo, in his book called *Nature Displayed*, had said of this same region: "The country of Vermont is a very barren mountainous rough country and thinly inhabited. . . . Indeed it is a very disagreeable country either to travel through or live in."

The *Travels* of President Dwight (1797, 1803) show the love of romantic scenery fully developed. It is hard to choose from such a wealth of material, when almost every page of the description of the White Mountains abounds in expressions of admiration for their rugged grandeur. "Mountains in immense ranges, bold spurs and solitary eminences . . . are everywhere dispersed with delightful successions of sublimity and grandeur." Former travellers had carefully avoided the region because of the mountains; Dr. Dwight says, "The scenery in the Notch of the White Mountains . . was one of the principal objects which had allured us into the region." He is impressed by the "wild and solemn appearance." He personifies the "hoary cliffs" which, "rising with proud supremacy, frowned awfully on the world below." He speaks of the "sprightly murmurs" of the cascade, of the "wild, tumultuous and masterly workmanship of nature," and of her "wild and awful majesty." It would be impossible to find more conclusive evidence of admiration for the romantic in nature than expressions such as "The eye finds here everything which can gratify its wishes for rude, wild and magnificent scenery;" "The scene excelled every conception which they had hitherto formed of awfulness and grandeur;" "bidding adieu, therefore, to the singular combination of wild and awful magnificence, we set out on our return."

We have traced the development of the love of romantic scenery among travellers; a glance at the poets of the eighteenth century will show that its development was certainly not earlier among them. There was no lack of what was called poetry before the Revolution, but it reveals little or no love of romantic scenery. There were poems to Phyllis, Daphne and Amanda, verses political and patriotic, metaphysical and religious, elegies and satires; but poems in praise of nature were few, unless of a much-adorned and cultivated nature in the form of "groves and fertile lawns," of "purling rills" and "prattling streams." It is distinctly the "pleasing landscape" and

> "the lawn
> Beaut'ous at morn, at noonday and the dawn;
> Rural shades and groves e'er attract the mind,
> And lead the thoughts to those things that's divine."

A poem read at the Yale commencement of 1784 speaks of Niagara, but as the

> "stupendous Niagarian falls
> Which to behold the affrighted heart appalls,"

with no sign of pleasure. Early visitors to the falls speak of them in much the same way. Father Hennepin (1697) describes them

as a "vast and prodigious cadence of water, which falls down after a surprising and astonishing manner, in so much that the universe does not afford its parallel." The feeling aroused is one of wonder rather than of admiration and pleasure.

As late as 1797, Josias Arnold, tutor in Rhode Island College, published a collection of poems from which a stanza may be quoted to show the old feeling as to romantic nature still surviving.

> "Where ancient forests their tall branches bend,
> And o'er the wild a horrid gloom extend,
> There shall appear a variegated scene,
> Of fields and gardens in perennial green."

On the other hand, before the close of the Revolution the new feeling for nature in her more majestic moods begins to find poetical expression, as, for instance, in a poem read at the Yale Commencement in 1781,

> "What various grandeur strikes the gladdening eyes;
> Bays stretch their arms and mountains lift the skies,
> And all the majesty of nature smiles."

More distinctly of the sort we are seeking, an inscription to *The Prospect of America* (1786) speaks of

> "Those deep forests, where the eye is lost,
> With beauteous grandeur mingling in the sight;
> All these conspire to give the soul delight."

Barlow's *Vision of Columbus* (1787) shows a still more marked love of romantic scenery. The poet sings of the "majesty of nature," of her "nobler prospects" and "sublimest scenes," of the hills "that look sublime o'er Hudson's winding bed."

> "A dread sublimity informs the whole,
> And wakes a dread sublimity of soul."

The writer of a *Rhapsody*, published in 1789, exclaims:

> "How oft, delighted with the wild attire
> Of nature, in her recesses, thro' scenes
> Like these, in roving childhood have I strayed,
> Aw'd with the gloom and desert solitude
> That environed me
> There is a rude disorder in these wilds,
> A native grandeur, that, unaffected
> By the touch of art, transcends its graces,
> And strikes some finer sense within the soul."

Quite Wordsworthian is this point of view, and far removed from that of the admirer of "purling rills" and "verdant lawns." One more illustration may be taken from poems published in 1792 by a Mr. Edwards:

> . . . "where sublime
> Yon wond'rous mountains rise, whose shaggy sides
> Invests th' ethereal azure and whose brows
> Th' eternal vapour shrouds. Great Nature there
> Reigns in dread majesty and unshorn strength.
>
> Musing, I wander, and admiring trace
> Old ocean's abdicated Empire there."

The writer of an essay on poetry, published in 1795, says, "Almost every person is delighted with the prospect of Nature. The sublimity of the heavens, the towering mountain, the unfathomable and wide extended ocean, the blooming gardens and level vallies inspire the mind with elevation and contemplative reflection." The author of the *Poetical Wanderer*, which appeared the next year, 1796, writes, "Everyone is sensible of the impression made by viewing the sublime objects of nature. . . . The blazing sun, the spacious firmament, the spangled heavens, the towering mountains, variegated landscapes, the expanded ocean, are all grand and beautiful and we contemplate them with delight." The quotations are significant, for by the words of contemporary writers they show that the love of the romantic and grand in nature was no longer an undeveloped element of American character.

Recurring to the questions suggested at the beginning of this article, we may certainly conclude that the change of mind, in America also, came about within a definitely limited time, and namely, so far as most instances show, at about the time of the Revolution. That it was spontaneous or indigenous will not be thought to have been so clearly proved, yet it is not without evidence.

Mary E. Woolley.

THE CAUSES OF KNOW-NOTHING SUCCESS IN MASSACHUSETTS

It was a strange spectacle that American politics presented on the morrow of the November elections in 1854. The time-honored parties found that they had been grappling in the dark with an unknown antagonist and that they had been terribly worsted. A wave of Know-nothing victory swept through the North. In nine states it elected governors; it filled the legislatures with new men; in the national House of Representatives a majority was claimed by the believers in the new dispensation, and the Senate was not without witnesses to their faith.[1]

When the air had again become clear those who had been blind to the new order's rise found that they had been vanquished by a native American organization akin to the earlier nativist parties, but now decking itself out with the ever popular ceremonials of a secret order.[2] Its oath-bound members took for their leading principle the defence of American institutions from the dangers to which they deemed them exposed at the hands of men of alien birth and of Roman Catholic creed.[3]

[1] J. P. Hambleton, *A History of the Political Campaign in Virginia in 1855*, p. 144. Speech of Henry A. Wise.

[2] There had been periodic ebullitions of nativist ardor. Thus in John Adams's administration it was shown in the passage of the Alien and Sedition Acts and in the lengthening of the naturalization term to fourteen years. In the Hartford Convention it was clearly evidenced in the sixth resolution: "No person who shall hereafter be naturalized shall be eligible as a member of the Senate or House of Representatives of the United States or capable of holding any civil office under the authority of the United States." Twenty years had not passed before it broke out in riot and convent-burning in Massachusetts. A few years later followed the rise and decline of the Native American party, accompanied by not a little rioting and bloodshed in Philadelphia.

[3] It is the aim of this paper simply to analyze the conditions which made possible the phenomenal success of Know-nothingism in Massachusetts. It therefore touches only incidentally upon the history of the movement and upon the distinctive principles of those whose devotion to the order was genuine and disinterested. The following planks from the American Party's platform in 1856 may serve as a brief summary of Know-nothing principles: "3. Americans must rule America, and to this end native-born citizens should be elected to all state, federal and municipal offices of government employment in preference to all others. . . . 5. No person should be selected for political station whether native or foreign-born who recognizes any allegiance or obligation of any description to any foreign prince, potentate or power, or who refuses to recognize the federal and state constitutions (each within its sphere) as paramount to all other rules of political action. . . . 9. A change in the laws of naturalization making a continuous residence of twenty-one years an indispensable requisite for citizenship hereafter." Stanwood's *History of Elections*, p. 195.

In one form or other the entire separation of church and state, the use of the Bible in schools and the prohibition of the use of public funds for sectarian schools were usu-

In no other state was the victory so overwhelming as in Massachusetts. In the years since the rise of the Free Soil party there had been no choice of governor by the people. But this Know-nothing nominee received a clear majority of nearly 33,000 over all opponents. Sixty-three per cent. of the total vote was cast for this candidate of a secret society. In the new senate every member was a Know-nothing; in the house the roll included one Whig, one Democrat, one Free Soiler, and 376 Know-nothings. In the legislature, thus, the combined opposition constituted less than one per cent. Nor was this supremacy confined to a single year. In 1855 and 1856 this Know-nothing governor was re-elected and in both these years the "Americans" were credited with a majority in each house of the legislature.[1] Hardly had the legislature assembled in January, 1855, when it made haste to elect a Know-nothing, Henry Wilson, to fill the vacancy in the United States Senate. In the congressional delegation Know-nothings were in the majority, and the long contest over the speakership resulted in the election of a Massachusetts Know-nothing. In the early national conventions of the order no leaders were more prominent than those from the Bay State, and for the presidency no one was at first considered a more available candidate than the Know-nothing governor of Massachusetts. In view of the unparalleled victory which the Know-nothings won at home, of the influence swayed by her representatives in Congress, and of the dominant part played by her leaders in the national councils of the organization, it would seem that Massachusetts stood in the fore-front of Know-nothing commonwealths.

ally insisted upon. After 1855 no attempt was made to conceal the constitution of the order. Copies of the Springfield platform (August 7, 1855), which placed the Massachusetts State Council upon an anti-slavery basis, may be found in the library of the Worcester Society of Antiquity, Worcester, Mass.

Among the best sources of information as to the general movement are the following: *The Origin and Progress of the American Party in Politics*, by John Hancock Lee, Philadelphia, 1855; *Sam, or the History of a Mystery*; *A Defence of the American Policy*, by Whitney; *A History of the Political Campaign in Virginia in 1855, together with the Life of Henry A. Wise*, by J. P. Hambleton; *Sons of the Sires, including a Reply to the Letter of the Hon. Henry A. Wise against the Know-nothings*. The pamphlet material is very copious; the Winthrop collection in the library of the Massachusetts Historical Society is especially rich. For local phases of the subject the newspapers, of course, furnish the most valuable material. What purport to be authoritative accounts of the oaths, rites and ceremonies of the order were published in the *Richmond Examiner* (quoted in the *Boston Daily Advertiser*, Aug. 19, 1854), and in the *New Haven Register* (quoted in the *Worcester Palladium*, Dec. 6, 1854). The writer of the present paper has investigated the history of the order in Worcester, Mass. (*A Chapter from the Local History of Know-nothingism*, New England Magazine, Sept., 1896) and the career of the Massachusetts legislature of 1855 (ibid., March, 1897; Report of the American Historical Association for 1896).

[1] *Boston Almanack*, 1854, 1855, 1856, 1857.

No such far-reaching political upheaval, however sudden, is entirely unheralded, nor can it come until causes, adequate although perhaps unseen or obscure, have prepared its way. Within the several states the historian will find that much the same causes were at work, but modified—here strengthened, here weakened relatively to one another—by the peculiar local conditions of race or of creed, of social or of economic relations.

In explaining the tremendous upheaval which Know-nothingism occasioned in Massachusetts, vague as the suggestion may at first seem, no slight weight is to be attributed to close-drawn notions of citizenship inherited from pious forefathers. In recent years with eager zeal historians have been defending the founders of the Plymouth and Massachusetts Bay colonies against any imputation of intending to establish in the new world liberty of conscience as we know it to-day. Such a charge those worthies would have repelled with righteous indignation. In reality their ideal of government was a theocracy; to realize this ideal was the chief end of the citizen. The thought of an absolute separation between church and state would have seemed no less than impious. The "freemen," enjoying the full rights and privileges of citizens, constituted a close corporation for admission to which church membership—not membership of *a* church, but of *the* church of the colony leaders—was the essential qualification.[1] Even for admittance to the minor privileges of an "inhabitant" the candidate was narrowly scanned from the point of view of the orthodox church member. To the petitions of the unenfranchised and to the demands of the king's commissioners for the liberalizing of these conditions of citizenship the Massachusetts "freemen" offered a resistance so stubborn that it well-nigh forfeited their charter. Only after years of controversy, and then only under the stress of necessity, were the restrictions relaxed. But unconsciously not a little of this old theocratic theory

[1] 1631, *Records of the Massachusetts Bay Colony*, Vol. I., p. 87. 1636, ibid., p. 168. November 30, 1635, the Boston freemen voted that no further allotments of land should be made to any newcomers "but such as may be likely to be received members of the congregation." *Rec. Comm. Report*, II., Bos. Rec., 1634–1660, p. 5. Although the Plymouth colony had no church membership test upon its statute books, in practice its equivalent was insisted upon. Thus in 1639 the General Court censured the town of Sandwich because of the remissness of its committees "in receiving into the town many inhabitants that are not fit for church society" and made the admittance of all inhabitants in future conditional upon the approbation of the pastor of the church. *Plym. Col. Rec.*, I. 134, 153. In 1675 it was enacted, "for the preventing of profaneness increasing in the colony which is so provoking to God, and threatening to bring judgments upon us," that improperly admitted inhabitants should be warned out of the colony and fined five shillings a week if they did not speedily heed the warning, "hoping the court will be carefull; that whom they accept off; are persons orthodox in their Judgments." Ibid., XI. 248. *Representation and Suffrage in Massachusetts* (Johns Hopkins University Studies), p. 74.

survived from generation to generation. Its savor can often be detected in the hill towns even to this day. And when, suddenly, in the middle of the century, tens of thousands of aliens, most of them of Roman Catholic faith, came clamoring at our doors for speedy admittance to citizenship and to full political privileges, it is small wonder that the apprehensions of the sons of the Puritans were profoundly stirred.

Again, Massachusetts found herself confronted by perplexing problems that demanded prompt solution. Strangely neglectful of obvious facts seems Von Holst's statement, in discussing the rise of Know-nothingism, that "nothing had happened specially to attract attention to the immigrant and Catholic questions at this time."[1] For the forty years following the peace of 1815 the tide of immigration rose gradually. It was not until the famine summer of 1847 that the immense acceleration came which for the first time gave this country an immigrant problem.[2] In that single year the number of immigrant arrivals makes a leap of 80,000. Taking the figures of the year 1844 as a standard of comparison, they are multiplied by three in 1847, by four in 1850 and by five and one-half in 1854, the year when the Know-nothings began their political career. This year, 1854, marks a high-water point, 427,833, of the immigrant flood;[3] in the next decade only once did the figures rise within 200,000 of this maximum; it was not exceeded until 1873, and not until 1880, more than a quarter of a century later, did the regular tide of immigration overpass this mark. Still more striking, in some respects, are the figures of emigration from Great Britain and Ireland to the United States, which show that three-fourths of the astonishing leap in the figures of 1847 was due to the outflow from the United Kingdom.[4] This tide of emigration reached its flood in 1850, when it stood six times as high as in 1844. In the earlier years the stream had set toward Canada, but the famine hardships on English vessels and the heavy head-money exacted by Canada, together with a growing popularity of the United States, served to turn the stream to our shores.[5]

Next to New York, no other city except New Orleans rivalled

[1] *Constitutional History of the United States*, V. 117.

[2] E. E. Hale, *Letters on Irish Immigration*, 1852, p. 10.

[3] Kennedy, *Abstract of the Eighth Census of the United States*, pp. 13, 14. Not without interest are the figures by decades:

1830–40	552,000
1840–50	1,558,300
1850–60	2,707,624.

[4] *Report of British Emigration Commissioners*, 1861, quoted in *United States Census* 1860, *Population*, p. 43.

[5] E. E. Hale, *Letters on Irish Immigration* p 11.

Boston as a port of entry for the immigrants.[1] The dominant nationalities among the newcomers were the Irish and the German.[2] No direct steamship lines connected Boston with the German ports and hence this stream was diverted from New England.[3] Nearly all the Boston steamships sailed from Liverpool, bringing therefore, for the most part, Irish immigrants who were almost to a man Roman Catholics. Although the Irish element in the total volume of immigration was outstripped by the German after 1851, this changed ratio was not noticeable in Massachusetts, where the vast bulk of the immigrants continued to be Irish and where but few Germans were to be found.[4]

The previous industrial development of Massachusetts seems to have been somewhat as follows: In the period from 1765 to 1790, notwithstanding the evils of the war, population spread over the sparsely settled western sections of the state and increased faster than during any equal period in the next half-century. They found plenty of unoccupied land and upon this they settled as farmers. During the next thirty years, 1790 to 1820, almost all of the land available for agriculture having been taken up, the surplus population emigrated to the frontier states and the increase of population was comparatively slight. In the next twenty years, 1820 to 1840, the number of inhabitants increased in much larger proportion. Emigration to the West was checked. The encouragements to manufacturing enterprises retained the population more and more at home. During this period the manufacturing class increased 154.50 per cent., while the agricultural class increased but 38.41 per cent., and even this gain was in the vicinity of thriving commercial or manufacturing towns. Indeed, it is hardly too much to say that the increase of population was wholly owing to the growth of manufacturing.[5] It may be doubted if there was any more agriculture, properly so called, in 1840 than twenty years earlier.

The logic of physical geography was working against it. With

[1] *Eighth Census of the United States.* Custom House Returns.

[2] In 1853, out of a total immigration of 368,643 persons, 161,481 were of Irish birth, 140,635 of German, 30,353 of English, and 10,770 of French. *Report of Secretary of State*, quoted in *Boston Daily Advertiser*, September 1, 1854.

[3] Scanty data would warrant an estimate that at New Orleans three Germans arrived for every Irishman. *Boston Advertiser*, June 2 and 5, 1854.

[4] *Boston Advertiser*, June 2, 1854. The relative rates of German and Irish immigration were as follows:

	1849	1850	1851	1852	1853	1854 (five months)
Irish	112,691	116,582	163,256	115,537	113,164	17,649.
German	55,705	45,402	69,882	118,126	119,644	44,248.

[5] Jesse Chickering, *Statistical View of the Population of Massachusetts, 1765–1840*, pp. 41–2. 88 of the principal manufacturing and commercial towns aggregated an increase nearly equal to that of the whole state. Their rate of increase was 79.62 per cent., that of the state 40.97, while the 213 towns which were mainly agricultural in character increased only 8.50 per cent. In the decade 1830–40, 89 towns actually decreased in population 11,812, or 9.55 per cent.

the improved means of transportation between the sea-board and the West, Massachusetts could no longer figure as a producer of agricultural staples. In the New England states between 1820 and 1850 the proportion of the population engaged in agriculture fell steadily and decisively; in the Middle States it fell and then rose, while in all other sections it was rapidly rising. Meantime, the relative number engaged in commerce was declining in New England, while gaining elsewhere except in the South.[1] During the same period Massachusetts' manufacturing population had increased six-fold. In no other state not subject to abnormal frontier conditions had the increase exceeded three-fold, and only New York surpassed Massachusetts in the absolute number of persons engaged in manufacturing enterprises.[2] And this development was bound to continue. In the years 1830 to 1860 the increase of population in her manufacturing towns was on the average five times as great as the increase in the towns of the same counties not so prominently engaged in manufacturing.[3]

In the middle of the century, with the single exception of Rhode Island, the growth of white population was going on in no one of the older states more rapidly than in Massachusetts. In 1840 Massachusetts had been more densely populated than any other state in the Union, and during the next decade she gained 33 per square mile, while Rhode Island gained only 29, and in no other state did the gain exceed 14.[4] Such a gain is the more remarkable from the fact that few of the states were contributing more of their sons as pioneers in developing the West. In 1850 there were nearly one-third as many natives of Massachusetts residing in other states as there were still remaining within her own borders.[5]

To a community thus rapidly growing and adjusting itself to an entirely new industrial system immigration brought perplexing prob-

[1] DeBow, *Statistical View of the United States; Compendium of the Census of 1850*, Table CXXXI., p. 129. Commerce was gaining in Massachusetts, but not enough to offset the relative decline in New England.

[2] New York 199,349; Massachusetts 165,938. Their populations were in the ratio 3:1. Ibid., Table CXXXII.

[3] *Abstract of Census of Massachusetts, from the Eighth United States Census.* For example:

Bristol County increased	89.13%.	Worcester County	89.27%.
7 manufacturing towns increased	164.42%.	16 manufacturing towns	196.20%.
All other towns	10.12%.	All others	28.27%.
Aggregate increase in the State	101.67%.		

[4] The rise is from 94.58 to 127.50. *Compendium of United States Census*, 1850, p. 40, Table XII. During the next decade 30.33 was added to the population per square mile, Massachusetts leading the New England states for this decade, and for the whole period 1790–1860. During this same decade Massachusetts rose from eighth to sixth place in point of population among the states. Kennedy.

[5] De Bow, *Statistical View of the United States.*

lems. By reason of the not inconsiderable native emigration to the frontier, coupled with the more rapid increase of the foreign-born and of their children, the alien population was making large gains upon that of native stock. In five years, 1850–1855, the proportion of the foreign-born to the total white population rose from 16.60 to 21.79 per cent.[1] Moreover this immigration was almost exclusively of a single nationality. In 1850 in the United States natives of Ireland constituted 43.04 per cent. of the alien population, but in Massachusetts the percentage was 71.41, and, notwithstanding the rapid falling-off in general Irish immigration after 1854, the percentage in Massachusetts had sunk only to 71.28 in 1860, 15.06 per cent. of the total population having been born in Ireland.[2] That this state's foreign-born population was so overwhelmingly Irish modified the problem very materially. In the first place this element was almost unanimously and with ardent loyalty attached to the Roman Catholic church. Early in the century this denomination had but slight hold in Massachusetts, but in 1850 she had become the sixth state in the number of its church accommodations and the seventh in the value of its church property.[3] In the second place, the predominance of Irish immigrants meant a more settled drift toward the cities, for in this respect there was a noticeable contrast between the Irish and the Germans.[4] These were the years of the phenomenal growth of urban communities, especially of manufacturing centres.[5] It was in the larger cities that the Irish found their most congenial quarters. Boston statistics showed that after 1845 the entire population either increased very slowly or else positively decreased, while the foreign-born advanced at giant strides and soon outstripped the native.[6] Among the coun-

[1] In 1850, with the exception of New York and Louisiana, no other states except those on the frontier had so high a ratio. De Witt, *Abstract of Massachusetts Census*, pp. 118, 231–2.

[2] *Abstract of the Census of Massachusetts. United States Census*, p. 335.

[3] Ibid., pp. 40, 136.

[4] In 1850 39.76% of the Irish-born residents of the United States lived in large cities, as contrasted with 36.43% of the Germans. DeBow, p. 128.

[5] Ten cities were incorporated between 1846 and 1854. In a single decade, 1850–1860, six of these thriving towns increased at rates varying from 100 to 126.67 per cent.; two between 75 and 100 per cent., while twenty more made a gain of from 50 to 75 per cent.

[6] De Witt, pp. 231–6. Children of foreigners, under 21 years of age, are here classed as to nativity with their parents:

Years.	Population.		Percentage.		Increase.		Per cent. of Increase.	
	American.	Foreign.	American.	Foreign.	American.	Foreign.	American.	Foreign.
1845	77,077	37,289	67.40	32.60				
1850	75,322	63,466	54.27	45.73	−1,755	26,177	−2.27	70.20
1855	75,922	85,507	47.02	52.98	600	22,041	.80	34.73

ties the immigrants were distributed very unevenly. In Suffolk County, of which Boston comprised the principal part, there were 67 of the foreign-born to every 100 natives. In Middlesex and Norfolk the proportion was about one in four, in Worcester one in five. To our modern thought these figures do not seem startling, but it is to be borne in mind that most of the people then living remembered Massachusetts as a community principally engaged in farming, and peopled almost entirely by natives.

The fact that the Irish immigrant was rapidly becoming more and more in evidence aroused a two-fold anxiety which speedily developed into a two-fold prejudice against him. What was to be his part in politics? His training in self-control at home had not been such as to make him a devotee of order and an upholder of government. What result might be expected from his transplanting? How would he vote on the "Maine" law? What stand would he take on the then much-mooted question of the basis of representation? Would he attack the public school in the interest of his church? As it became apparent what a make-weight the Irish vote might become, and that the alien vote was increasing in Boston twelve times as fast as the native vote, it became a serious question whether the existing naturalization laws were not inadequate in substance and too lax in enforcement.[1] The question became the fruitful theme of much Know-nothing oratory during the next few years, but the resulting legislation was neither important nor consistent.[2] No evidence is to be found that the immigrant

[1] In Boston in 1845 out of 9,763 adult males of foreign birth only 1,623 were naturalized. (De Bow.) In 1850, though the proportion of foreign to native born was about one-half, they polled only one-eleventh as many votes. (Ibid. and *Boston Daily Bee*, November 1, 1853.) But between 1850 and 1855 while the native voters in Boston increased 14.72 per cent., the foreign-born voters increased no less than 194.64 per cent. (Dr. Josiah Curtis, quoted by De Witt, p. 236.) As the qualifications for the suffrage required in addition to United States citizenship only a residence of one year in the state and of six months in the voting area, with the payment of a poll-tax, any laxness in the naturalization laws or in their enforcement reflected itself speedily at the polls.

[2] In 1848 an act of Congress had dispensed with the requirement that the five years of residence should be continuous (30th Congress, ch. 72, amending ch. 42 of 1813). The preliminary declaration of intention to become a citizen might be made in the police courts, and the final taking of the oath of allegiance and admittance to citizenship might take place before the Courts of Common Pleas of the Commonwealth. The feeling that there was altogether too much laxness both in the laws and in their administration reflected itself in the act of February 27, 1855, which made it not lawful for any court established by the laws of the Commonwealth to entertain any jurisdiction over the naturalization of aliens. Two months later (April 18, 1855), a resolution of the Massachusetts legislature urged Congress to take action in the direction of restricting naturalization to federal courts. An act of March 13, 1856, restores jurisdiction over naturalization to the Supreme Judicial Court and the Courts of Common Pleas (called Superior Courts since 1858). See also ch. 47, laws of 1856, and ch. 44, 1858. It must be confessed that much of the debate over the law of 1855 turned upon the question who should receive the fees, the clerks of the federal or of the state courts. *Boston Advertiser*, February 20, 1855.

vote was ever marshalled for the support of any distinctively class legislation either favoring immigrants or for the behoof of the Roman Catholic Church. But with a loyalty that rarely wavered,[1] the Irish vote went solidly to the Democrats and for the first time in many years gave them a fighting chance in the struggle with the Whigs, who had come to consider the state theirs by prescriptive right. Again and again the choice of governor was thrown into the legislature. To the rank and file of the Whigs the mere fact that the working of naturalization and suffrage laws was such as to strengthen their opponents to the point of imperilling Whig success carried with it, doubtless, the conclusion that the welfare of the state was seriously endangered.

Hardly less pronounced, though certainly even less well grounded, than the fear of the immigrant as a voter was the prejudice against him as a wage-earner. There was complaint of low wages; yet in 1850, in the five classes of labor investigated for the census, the average wages in Massachusetts were invariably higher than in any other state except where abnormal rates are to be accounted for by inflation, as in California, or by the scarcity of skilled labor, as in the slave states.[2] Nor were living expenses correspondingly high; so far as these figures go their showing is distinctly to the advantage of the Massachusetts wage-earner. Unfortunately statistics were not compiled from the factory industries in which the greatest proportion of her laborers were coming to be employed. The rank and file of the laboring class proved themselves devoted believers in the wage-fund theory. That labor was daily creating the product from which it was paid they overlooked in their jealous watching of the throng of newcomers who were to share with them the wage-fund. That these thousands of the foreign-born could find places in industry without crowding out their betters did not occur to them and that that very jostling was gradually raising the level of the native wage-earner was a philosophy quite too deep for "practical" men.[3] In the rapidly growing factory industries the

[1] Almost the only instance was in 1853, when the Whigs succeeded in so splitting the Irish vote as to ensure the defeat of the revised constitution which had been the work of the coalition convention. *Worcester Palladium*, August 23, 1854.

[2] *Compendium of United States Census*, 1850, Table CLXXV, p. 164.

[3] "They (the Irish immigrants) do the manual labor. It does not follow that natives who must otherwise have performed it, do nothing or starve. They are simply pushed up into foremen of factories, superintendents of farms, railroad agents, machinists, inventors, etc." "Manual labor forms the basis of your pyramid." "Exclude your foreign population and your whole fabric sinks. You find you have still men at hard and loathsome labor. They are now your own sons. You have lost what you had; the highest results of your civilization. For every grade descended when you moved the lowest grade away." Edward Everett Hale, *Letters on Irish Immigration*, 1852. Forty years later Hon Carroll D. Wright, United States Commissioner of Labor, described the part played by

workmen were developing a strong class feeling. The Irishmen were becoming disagreeably numerous. The native "hands" did not like them and did not propose to work with them if they could help it. This combined race-antipathy and craft-jealousy contributed in large measure to swell the ranks of Know-nothingism in the Bay State.

The geographical position of Massachusetts exposed her to an unusually high tide of immigration; her peculiar stage of industrial development made the problem the more difficult; but it was by blunders in legislative attempts to deal with the problem that the most disagreeable aspects of immigration were brought home with exceptional force to her people. So puzzling became the questions arising in connection with this influx that as early as 1848 a law provided for the appointment of a Superintendent of Alien Passengers whose duty it should be to inspect all immigrants before allowing them to land.[1] For any alien passenger who seemed likely to become a public charge he was to require from the ship-owner or master a bond to the Commonwealth in the sum of $1,000 that the aforesaid immigrant should never become a burden to any city or town in the state. Persons whom from the evidence he deemed unlikely to become a public charge he might allow to land on payment to him for the Commonwealth of two dollars for every person so landed.[2]

Not many months of the flood of immigration were needed to show that Massachusetts had not yet blundered into an effective system of dealing with her paupers. In 1852, with a population of just about a million, it was estimated that in the last seven years 133,826 persons had arrived from abroad, while New York, with a population of three millions, had received a million immigrants during the same time. Yet Massachusetts found it necessary to support a number of foreigners more than three-fifths that of New York.[3] This glaring disproportion was partly due to differences in classification. But for the most part it was a real difference due to legislative blunders. The act of 1848 made the bond required of ship-owners, as a guarantee against the danger of the immigrant becoming a pauper, far more onerous in Massachusetts than in New York. The law thus defeated its own purpose; it encouraged the practice of landing in

the Irish immigrants in almost the very same words. Lecture before Johns Hopkins University students in history and politics, February 6, 1891.

[1] Laws of 1848, chapter 313.

[2] Slight changes were made from time to time in this system. In 1851 a Commission in Relation to Alien Passengers was appointed, with instructions to inspect places where state paupers were maintained. Ch. 105, 1850; ch. 342, 1851. For other modifications see ch. 360, 1853; ch. 219, 1854.

[3] E. E. Hale, *Letters on Irish Immigration*, 1852.

New York immigrants bound for Massachusetts, and then transporting them thither by rail. In 1850 five thousand more immigrants entered Massachusetts than in 1849, but one thousand less came by water than in that year. An official report of the commissioners declares: "We are permitting our neighbors to take the bonds which are to indemnify their loss, while we are supporting the paupers; while at the same time we are diminishing the commercial operations of the state."[1] Statistics showed that the burden was not inconsiderable. In 1851 it cost Massachusetts nearly $212,000 for the support of paupers having no legal residence in the state. Of the 10,267 who applied for such aid 8,527 were foreigners or born of foreign parents. From alien passengers only $37,000 were received, while against this stood about $10,000 as the expenses of the commission. Within a decade the costs of the state nearly trebled. The ratio of foreign paupers was increasing yearly. Not only was the burden heavy; it was so badly adjusted as to be a constant source of friction and ill-feeling between the state and the towns. In the early years after this increase of foreign-born paupers began to be marked, the state had no almshouse of its own; paupers having no settlement within the state were maintained in the almshouses of the several towns, especially of those along the seaboard, and for their support the state paid a shamefully inadequate sum.[2] Instead of a unified administration of state aid, the relief of these paupers was in the hands of 327 separate town boards, each feeling no responsibility to the state treasury, and trying to elbow the unfortunates on to neighboring towns.

In 1852 the legislature authorized the erection of three almshouses in different parts of the state, in which paupers having no legal town settlement might be decently maintained under systematic discipline.[3] Two years later these almshouses were opened and they

[1] Report of Joint Committee to the Senate, April 29, 1852, *Boston Advertiser*, May 8, 1852. See also lecture by Edward Everett, *The Discovery and Colonization of America and Immigration*, before N. Y. Hist. Soc., June 1, 1853, p. 30.

[2] A single instance will suffice to show the causes for dissatisfaction. During 1851 at the Cambridge almshouse were 522 paupers, only 80 of whom had a legal settlement in the Commonwealth. The state paupers numbered 252, of whom 235 were foreign-born, principally from England and Ireland. The average weekly cost of support at the Cambridge almshouse was $1.75, but the state paid on the basis of 28 cents per week for a child of twelve years or under and 49 cents for an adult pauper, of twelve years or over. Of the annual expense of the almshouse, $10,000, the state paid less than $2,000, although the state paupers numbered at least five-sixths of the whole number supported. The labor performed amounted to only $400, and all of this went to the state. *Cambridge Chronicle*, quoted in *Boston Advertiser*, January 28, 1852. For other similar facts, see the account of the overcrowding of the Boston Lunatic Hospital. *Boston Advertiser*, April 12, 1853.

[3] Report, April 29, 1852. *Boston Advertiser*, May 8, 1852.

accomplished not a little good.[1] An unjust burden was removed from the towns and sea-board cities; moreover, the prospect of life under more rigid discipline and away from their favorite haunts persuaded large numbers of these public charges to make an effort to be self-supporting and it thus sorted out the really dependent from the impostors. But these two years were the very years of the origin and rapid spread of Know-nothingism, and, without question, to this outburst the rapidly increasing and as yet wretchedly adjusted burden of foreign pauperism in no small degree contributed. In every town whose almshouse was infested with paupers who did not properly belong there and for whose maintenance the state was contributing a mere pittance, each tax-payer must have been restive under the exactions inflicted upon him.[2]

The census returns brought out clearly some of the other grounds of the prevalent impatience with the immigrants. They showed, for example, that with the single exception of New York no other state was carrying a burden of foreign pauperism nearly so heavy as that which fell to Massachusetts.[3] Illiteracy and insanity, too, had evidently increased within the decade and were found to a disproportionately great extent among those of foreign birth.[4] Still more startling were the statistics of criminality. Of the 27,000 persons convicted of crime in the United States during the year ending June 1, 1850, more than half were from the ranks of the foreign-born, who then constituted only eleven per cent. of the total population. In Massachusetts they, though but 16.6 per cent. of the population, furnished 53.5 per cent. of the law breakers, an aggregate of 3884 foreign-born criminals, while no other state excepting New York exceeded 908 as its total of criminals, native and foreign.[5] Of course, much is to be said in qualification of the bad impression which these figures make. In the first place the apparent prevalence of crime in Massachusetts in a measure merely reflected the exceptionally active prosecution of crime. The more

[1] At Middlebury, Tewksbury and Monson. *Boston Advertiser*, July 15, 1854; March 24, 1855.

[2] From time to time the state government grappled with the problem. Head-money was tried; an attempt was made to make railway companies responsible for the immigrants whom they brought into the state, and in various ways Massachusetts tried to shoulder off these unfortunates upon her neighbor states. Report of Alien Passengers Commission, reviewed in *Boston Advertiser*, May 19, 1855.

[3] *Abstract of the United States Census.* In Massachusetts the native paupers numbered 9,530, the foreign born, 9,247, the total expense being $392,715. In Pennsylvania, with a population nearly two and a half times as great, the numbers were 5,898 and 5,653 respectively and the total expense $232,138.

[4] De Witt, p. 246.

[5] *Abstract of the United States Census*, p. 29. According to the state census of 1855 the showing was somewhat improved; 45.70 per cent. of the "convicts" were of foreign birth. In Suffolk County their percentage was 64.

stringent a state's laws and the more rigorous their enforcement, the worse will its record show if tested merely by the number of convictions. Again, an increase of crime might naturally have been expected in a community which was so rapidly stumbling into urban conditions of life. It was a transitional stage of development to which traditional ratios could no longer apply. Even the excessive proportion of offenders against law among the foreign-born did not prove that they were necessarily bad material for citizenship. The mass of immigrants were living on the margin of subsistence; with little training in self-control, they had been suddenly removed from the traditional restraints of their native land. In getting acclimated to the freedom of the new environment it is small wonder that their record of offenses was a long one. But in the early 50's the average voter was in no mind to discount statistics or to reason out causes. Since the immigrants had so enormously increased in numbers the state had shown alarming symptoms. Just what disease they might portend he did not know, but he dreaded much. It was in this frame of mind that he received a visit from zealous physicians of a new school. They confirmed his worst fears; the body politic was in desperate straits; only heroic treatment could save it and he was persuaded to make trial of their nostrum.

The early successes or failures of a new movement in politics seem often to bear little relation to its principles or its leaders. The first steps of its career are determined by the circumstances under which it first sees the light, by the nature of the community into which it is born. A lucky hour, a favoring environment, may atone for many an hereditary defect. We have seen that the early fifties were years of great unsteadiness, of stumbling transition in Massachusetts' social and industrial development. That in the midst of this time of doubts the tide of immigration should have suddenly risen to the flood was cause quite sufficient to fill timid souls with grave apprehension for the safety of American institutions. Had these phenomena occurred ten years earlier they would doubtless have evoked a considerable revival of nativism. If the mechanism of the secret order could then have been exploited the movement might have made itself formidable, but it certainly would have elected no governors, packed no legislatures and sent no representatives and senators to Congress; for in ordinary times nine-tenths of the voters cast a straight party ticket. But by 1854 normal or calculable politics had become a thing of the past; everything was turmoil. In 1848 bolters from the convention that nominated Taylor had called into being the Free Soil party. Among its founders and most ardent leaders were Charles Allen and Henry Wilson of Massachusetts. In no other state during the next few years did the new party put

politics in greater confusion. The compromise of 1850 proved entirely ineffective for the healing of the breach. Webster's Seventh of March speech embittered instead of harmonizing the disputants.[1] The Free Soilers soon polled a vote large enough to throw the election of governor into the legislature. Then came the much-denounced coalition with the Democrats which sent Charles Sumner to the United States Senate and called the constitutional convention of 1853. Massachusetts furnished her full quota of abolitionists, the Emigrant Aid Company took its rise here, and the Kansas-Nebraska bill called forth the bitterest antagonism between sometime friends in politics. Questions relating to liquor legislation, to constitutional amendment, to immigrant problems, were mere ripples upon the surface ; the slavery issue was moving politics from beneath. Old alliances no longer held. Democrats and Whigs alike were dissatisfied with the attitude of their parties and recognized that a change of base was imminent. The Free Soilers had done much to loosen party ties. But apparently their position was too radical. They could carry elections only by coalitions which would subordinate them to one of the older parties.

It was just at this opportune juncture that the Know-nothing organization made its appearance in Massachusetts and held out its seductively mysterious appeal for votes. The Democrat listened with comparative indifference. In the nativist issue he felt but a negative interest, for the vast majority of the newcomers became loyal members of his party. As regarded slavery the new party at first professed to take a neutral stand, the very attitude which the Democratic party was exerting all its agility to maintain. From the Whig the appeal met with a more cordial reception, for the Whig party was thoroughly at odds with itself over slavery. The compromise of 1850 had aroused bitter resentment, and the Kansas-Nebraska bill crowded slavery to the fore ; the issue would not down. The immigrants had brought only disaster to the Whigs, and aside from political antagonism, there was the prejudice against foreigners, for the Whig party represented the more conservative and aristocratic elements of the population. There were besides not a few Whigs, who, sympathizing mildly with the nativist tendencies of the American association, nevertheless believed that slavery was the issue of the hour, but that it could never be settled by the existing parties. They believed that the time had come for break-up and readjustment, and regretfully left their old allegiance in the hope that out from the welter a new and vitalized Whig party might arise. As for the Free Soilers, coalition had become second nature to them. By

[1] Wilson, *Rise and Fall of the Slave Power*, II. 254. Rhodes, *History of the United States since the Compromise of 1850*, I. 154.

it alone they had been able to elect their United States Senator and call the constitutional convention. But their revised constitution had been rejected, and the Democrats were making it evident that the partnership with them must soon end; Free-Soil principles were not to be advanced through Democratic allies. What more natural, then, than to attempt the capture of the new organization? The nativist part of the programme would make many a man wince, but every day it was becoming more apparent what a powerful engine the new party could be made if only it could be run upon the Free-Soil track. An analysis of gubernatorial votes shows beyond question that the Free Soilers, to a far greater extent than any other party men, merged their organization into the new party.[1] This they did not from devotion to the fundamental principles of Know-nothingism, but with the definite plan of making the Know-nothing mechanism serve their ends, if not in directly furthering Free-Soilism at any rate in breaking down the old parties.[2] The capture of the Know-nothing organization by the Free Soilers in Massachusetts was an extremely clever piece of political sharp practice. That office-holders, the "machine," those with whom party principles were synonymous with individual self-interest, should have put on the regalia of the new order so soon as it held up visions of spoils was to be expected as a matter of course; their principles were as readily changed as their coats, and the unsophisticated nativists in the Know-nothing councils soon found that they had to deal with a motley and voracious crowd of political adventurers within their very midst.[3]

That Know-nothingism took exceptionally vigorous root in Massachusetts was due to peculiar local conditions which to the short-

[1] "Of the three leading parties of last year the Free Soilers have most nearly approached a total absorption in the secret order. No less than 77 per cent. of them have disappeared, while 62 per cent. of the Bishop Democrats, and but 55 per cent. of the Whigs have deserted their standards." *Boston Daily Advertiser*, November 15, 1854; December 20, 1854.

[2] A friend, John Rogers, asked Henry Wilson "How he could consistently use his endeavors to overthrow a political organization from which he had received the most desirable office in the gift of the people of Massachusetts. Hon. Henry Wilson, Massachusetts representative in the Senate, replied, 'I'll blow the whole thing (the American party) to hell and damnation.'" *Boston Daily Bee*, September 26, 1855.

[3] *Boston Daily Advertiser*, December 28, 1854. "Free Soilers have seven out of the eleven members of Congress for two years, the Senator for four years. The Whigs have the Governor for one year. The distribution is no concern of ours, but it looks to us as though the Free Soilers had taken the turkey for their part, given the Whigs the hawk, and allowed the Democrats to smell of the game." *Worcester Palladium*, February 14, 1855. "We do not believe it ever happened before this year that a majority of the holders of office, elected by a party, betook themselves to an opposite party within a year and participated in the defeat of the men who placed them in office." *Boston Telegraph*, quoted in *Daily Advertiser*, November 20, 1854.

sighted might naturally seem to afford some justification for the platform if not for the methods of the new order. To a conservative community, perplexed by rapid and radical changes in its industrial economy, Irish Catholic immigration, increasing at a pace unexampled, brought a host of new embarrassments. But the political success of the movement, as overwhelming as it was short-lived, was due not to the prevalence of nativist or of anti-Catholic sentiments, but to the widespread political unrest. The old faiths were everywhere rudely shaken. The question became not "Why should I leave my party?" but "Can I with a good conscience remain in my party?" With the Free Soilers the resolution was speedily taken; they planned and effected the capture of the Know-nothing organization. Real burdens and problems connected with immigration had been the occasion of its rise. But from the time of its entrance into state politics its phenomenal career is that of an army carrying the nativist flag but officered and manœuvred by Free Soilers and political adventurers.[1]

GEORGE H. HAYNES.

[1] Within a month after the opening of the legislature the *Boston Daily Bee*, the leading Know-nothing organ, complained bitterly that in spite of the overwhelming American majority in each house, the conduct of public business was not in the hands of those who had the principles of the American party sincerely at heart.

DOCUMENTS

1. A Letter of Ferdinand of Aragon to Diego Columbus, 1510.

The interest connected with the name of Columbus gives factitious importance to all documents relating to the governorship exercised by him and his son over the Spanish New World, which may perhaps serve as an excuse for printing the subjoined letter. It appears that among the early adventurers seeking the New World there were some debtors of persons condemned by the Inquisition, and the zealous receiver of confiscations at Seville sent out an agent to hunt them up and collect from them, for the royal treasury, the amounts owing to the victims. To enable him to perform his errand successfully the king orders the admiral of the ocean and governor of the Indies and Tierra Firma and his subordinates to lend aid and compel summary settlements. The document is in the archives of Simancas, Consejo de la Inquisicion, Libro III., fol. 47.

HENRY CHARLES LEA.

EL REY

Don Diego Colon, almirante del mar oceano e governador de las indias e tierra firma e a vuestros alcaldes e justicias, Por parte de Pedro de Villacis receptor de los bienes confiscados por el delito de la heregia en la cibdad e arcobispado de Sevilla, me es fecha relacion que en estas villas e lugares hay algunas personas, que deven e son obligados a pagar a mi camera e fisco algunas coantias e sumas de maravedis por contratos o alvalaes e syn ellos que se devia a Diego Deça que por el delito de la heregia fue condepnado a carcel perpetua e sus bienes confiscados, e a otras personas de la dicha cibdad e arçobispado de Sevilla muchos bienes fueron confiscados lo qual el dicho receptor embia a lo cobrar en mi nombre e con su poder, por ende yo vos mando que cada e quando fueredes requerido por su parte sobre lo suso dicho fagades parecer ante vos a los tales debdores e sabida la verdad brevemente e de plano syn estrepitu ni figura de juicio le administrais entero cumplimiento de justicia e lo que asi fallaredes que le es devido compelades y apremiedes a los tales debdores que luego gelo den e paguen sin dilacion alguna dandole parte dello el favor e ayuda que menester oviere, e non fagades ende al. Fecha en Valladolid a 19 dias de enero de 1510 años. Yo el Rey. Por mandado de su alteza Juan Roiz de Calcena. Estava señalada del licenciado Aguirre.

2. Letters of Christopher Gadsden, 1778.

For the following letters of General Christopher Gadsden THE REVIEW is indebted to Edward I. Renick, Esq., of the Department

of State, Washington. The first of them was written two days after General Gadsden's duel with General Robert Howe. Drayton (d. 1779) was at this time a member of the Continental Congress.

I. CHRISTOPHER GADSDEN TO WILLIAM HENRY DRAYTON.

CHA^{S} TOWN 15th Augst 1778.

Dear Sir:

I am indebted for yours of 6th and 14th July. All your friends I assure you are concerned that any difficulties should happen so as to occasion hesitation to sign the Confederation. We cannot see the least force in the objections. A confederation ought most certainly to have been signed long since. What must the French think? Have they not made an alliance with 13 States? But how can that be while no confederation is made between themselves and if even upon arrival of their Ambassadeur, every State must be separately pleased and throw so many difficulties in the way? What! Because one State has orders not to sign, and another State has not received instructions to sign, Shall we who had positive orders to agree to the determinations of Congress, withdraw our consent and make the breach still wider and do all in our power to make Maryland more obstinate? Had our confederation been signed there would be no room for any political powers or parties, allies or not allies, to interfere for their own purposes. This is no new thing (I am sure you know) in Europe. Witness Holland, Germany, Switzerland &c. Let us prevent all such maneuvres as soon as possible. Nothing will do it so speedily or effectively as a ratify'd Confederation. There is abundantly less risk in trusting to a future Congress some 10 or 20 years hence for correcting what may be amiss, than to let this matter lay any longer open. I dread ten thousand times more the restless ambition of a few individuals in each State to overset our matters and enthrall us, than I do anything of that sort from the States themselves. Yr expences must be great at Philad^{a} immediately upon the British troops leaving it. This is an extraordinary event, and I think we ought not to suffer you to be out of pocket and I hope we shall not.

I am sorry my friend Lee seemed so indifferent with regard to my affair with Howe. I shall trouble you no farther on that subject, only hope the Carolina Delegates will at least disabuse the Congress publickly and not let them continue to think that my resignation was intended as an insult to them, than which nothing was farther from me, for I never thought them to blame. Had they sent Howe to take the command of me, as we were of equal rank, and he of another State, and had no greater opportunities in the military way than myself, I should certainly have felt very sensibly the stroke; concluded it proceeded from their distrust of me, as not being of equal industry, capacity, or integrity with him, and then should most certainly have sent *them* my Commission, and eased their fears, at the same time lamenting the low state I stood in their opinion. But as I always thought, and think still, they knew nothing of

the matter, but thought Lee had given him orders to come here—and found that my country would not hear me through the party intrigues of a thin house—I therefore threw up my commission *here*, and out of delicacy to the Congress did not send it to them myself. All I expected was the common compliment to an officer that I thought they did not wish (and I am sure had no reason) to get rid of—that of giving him an opportunity before they accepted his commission to tell what hurt him. Howe has had an exact copy of my letter of the 4th July to you and numbers in town have seen it, many of his friends. I say the Congress was never so grossly imposed upon, and if they do not resent such impositions, they deserve to be so again and again. Qui vult decipi, decipiatur. I wish you were able to read the copy I sent you. I was resolved to send my observations by the return of same express that brought yours concerning Howe's extract. I wished for a little longer time to furbish it up. From what dropt from Heyward my apprehensions were first grounded, of the Congress looking upon my resignation as an intended insult to them. I therefore make no doubt he will do the justice to set the matter to rights, and in order that he may be the better enabled so to do, I shall be obliged to you to give him with my compliments the inclosed copy of my letter on that subject to you, which is fairly and exactly made out, and also let him see what farther is mentioned in this letter relative to that subject. Yr last letter tastes Moreish—we long for another express. Nothing here worth notice only that we had almost a hurricane last Monday. My bridge received very little damage indeed.

I am Dr Sr
Yr &c &c
C. G.

II. CHRISTOPHER GADSDEN TO WILLIAM HENRY DRAYTON.

ChasTown 14 Octor 1778.

Dr Sir

I am obliged to you for the paper sent me by last Express. I find you are indefatigable. God prosper you. We are obliged to you for it. Johnson is driven off the American Stage, I find, but pondering revenge, however I hope his sting is taken out. The House met according to Adjournment, very few members indeed. The Presdt made a very proper and spirited representation of the behaviour of the mob in Charles Town the 5th June which mob was ostensibly on account of his proclamation, but really (as I am verily persuaded) artfully stirred up and set a going by a cabal. The House after having it before them a month, through the influence of the Town members put it off to the next House. In the meantime the Presdt and privy council is to put [up] with the insult. I was much afraid Mr. Lowndes would have resigned, which would have put the State into great confusion, and would have given the party who were hopeful that officers would not have been found to set the new Constitution a going the utmost pleasure. The resignation of the Council would have done the same. As for my part as Vice President and a new election so near at hand, I thought my resignation could be of little mo-

ment to the State, and at the same time thinking it would be of some good consequence that some part of the Executive should show a feeling upon so monstrous an insult as they received, I thought myself in a manner peculiarly called upon to do it from my station, and accordingly wrote the within letter to the Speaker which was laid before the House, who I expected would have accepted my resignation immediately. However I was mistaken for they did me the honour unanimously to send 2 members to desire I would continue. This I could not refuse, therefore still remain in statu quo and I am not without reason to think my letter has done some good that may appear in future. Williams and Hopton arrived a few days ago in their Flag. I am glad of anything to rouse us if possible from our lethargy, but the conversation with Johnson I look upon as a matter of course and highly probable that had Mr Williams been a N. Carolinian or Georgian just the same would have been said to him with regard to either of those States. If anything is intended, I rather think Johnson wishes to brew it up after his arrival in England than that any danger may be apprehended this winter from Clinton— Our masters the Assembly, Legislative and Executive examined Hopton and Williams themselves and discharged them. The Council had examined the last the evening before; but the people of the town seeming so enraged, it was thought absolutely necessary to refer him to the House, even for our own sakes, for had we discharged him, and we could not have done otherwise, I make no doubt St. Michael's bell would have been set a ringing in a few minutes afterwards—

We are going to fortify in all haste and make no doubt shall persist till we have half finished some works and then, what then? do as——— heretofore

I [am] D^{r} Sir &c.

P. S. The express is waiting. C. G.

III. CHRISTOPHER GADSDEN TO THOMAS BEE, SPEAKER.

To the Honble Tho^{s} Bee Esq^{r}
Speaker to the Honble the Commons House of Assembly of the State of South Carolina.

5th Octo^{r} 1778.

D^{r} Sir

The Honble House thinking proper after having had his Excellcy the Presd^{ts} message relative to his proclamation of the 5th June and the outrageous treatment it met with from a part of the people of Chas Town a month before them to postpone the matter to the next House in parliam^{y} language ad Gracas Calendas; considering the part I acted in earnestly advising that step in w^{h} I am conscious of having done nothing improper, I submit it to the House how they think I must feel under such at least negative censure, especially after the deliberately gross treatment the Executive received from a Body of men mentioned in no part of our Constitution as I can recollect, who called themselves the Flint Club.

The contemptible, suspicious, and useless situation wth regard to the

publick I find myself reduced to upon this occasion lays me under the necessity of entreating you to request the Honble House for the public sake as well as my own, to deliver me from it by accept^g my resignation as V. President. It may not be proper for me to let my feelings carry me farther. Am therefore resigned to stop here if Sir you think my particular reasons following are too free, improper from me, or will give offence to the House, which I should be sorry to be thought capable of intending; but if you judge not and the House will bear w^th the remonstrance of an old and faithful servant, I shall then be obliged to you to lay them before them———

I was the first man that moved in Council for our compliance with that recommendation of Congress w^ch is the subject of the President's proclamation of the 5^th June and never consented to any publick Act more heartily and w^th clearer judgment as the best measure this State could pursue at that very critical period exclusive of that respect for Congress w^c the true Interest of America and even the Existence of its free States always did and still requires to be shewn. A copy of this Proclam^n his Excellency laid before the House w^th an acc^t of the outrageous treatment it met w^th more than a month since in full as mild terms as it deserves.

The advice just mentioned to the Prest. I avow to have given, am accountable for it to the State, and knew so at the time. Tis either impeachable or not, if the first I ask no favour but heartily wish to be tryed as the Constitution has appointed, being not conscious of any guilt and have a right to a fair trial. If the last, the future peace and safety of the State, good order, and good policy require that the Executive should be supported. Principiis obsta has been ever looked upon as an excellent maxim, for unchecked insolence very rarely decreases of itself and this I am persuaded the Presd and privy Council will soon amply experience. The very existence of the State during the present war upon a sudden emergency in the recess of the House (and none of us can tell how soon such emergency may happen), may oblige the Privy Council to advise the Presd^t to act really very opposite to some of our most favourite laws. This advice indeed they must give at their own risk, and rightly so and tho' it would be as great political cowardice not to give it upon a proper occasion as it would be personal cowardice to turn one's back upon an enemy in the Field of inferior Force, yet must not men be blessed with an exalted virtue indeed and a superlative degree of firmness to run such risks when they have any reason to apprehend they will not be supported? If a proclam^n of the Presdt in conseq^nc of a recommendation of Congress and the advice of the Privy Council is to be counteracted and defeated by a managed misinformed part of the Town dextrously practiced on (imperceptibly I am fully persuaded to themselves) by the bellowing tools of a few ill-intending, restless, disappointed, self-important men behind the scenes (as I verily believe was the case the 5^th June): if the magistrates are to be intimidated; if the presses are to be stopt at their nod and all this to pass without proper notice, the Privy Council will soon be of little use and must rapidly dwindle into

that insignificancy, discredit and contempt which an artful and indefatigable cabal earnestly wish to see them in and will miss no other *sly* opportunity to bring about. The next step to making that necessary and useful part of the Constitution contemptible will be of course to expunge them altogether when it is found (as in the nature of things must happen speedily if not timely prevented) that none but dastardly Trimmers, ambitious Caballers, interested jobbers will serve in a Department rendered so low, suspicious and despicable.

As V. President the devolving part of the Executive on me being altogether contingent and the election of a new Assembly being so very near, the chance is very little indeed that my resignation now can be of any moment to the public. Did I think it of consequence no feelings ever so disagreeable, no indelicate treatment whatever would make me entertain the least thought of resigning. But when I consider too of what essential and lasting importance a Privy Council chosen as ours is must be to a free State; from the nature of their duty how obnoxious they are to selfish and ambitious men who wish to take advantage of the publick: how grossly the present Council has been treated: How Cheap that alone must make them: convinced too that it is the duty of every man called upon by his country to fill a publick station to hand it down unsullied as far as in him lies to his successor—these considerations all put together call on me particularly to shew a feeling (as well for the public sake as from a regard to my own character) by desiring to quit in the manner I do a station in w^{ch} much insult has been experienced, more may be expected and little probability thro' want of *undelayed* support and countenance of being of any use.

I am sure your Honour must be persuaded from the many peculiar and remarkable circumstances w^{ch} attended my appoint^{mt} that nothing could have induced me to accept it but the apprehension that an excellent Constitution w^{ch} no individual took more pains about than myself might otherwise want some formal officer thought necessary in putting it in motion. I hardly know of any material fault in it but the great disproportion of members in a few Parishes wth respect to others, a matter w^{ch} tho' generally seen and admitted, having got a footing from necessity could not for want of proper data at its framing be *then* better regulated and w^{ch} the Constitution in its 15th Clause has provided shall be set to rights at a future period, in the interim trusting to the virtue common prudence and true policy of such parts as glaringly have the greatest superiority both wth regard to situation and number of representatives that no inconveniences or disturbances would arise on their part by their ungenerously and unwisely assuming too much on their present advantages.

I have had without asking or soliciting any man's vote directly or indirectly the honour to serve my country for many years in various stations, always totally devoted to that particular post occasionally allotted to me; never quitting it while the least hopes remained of having that necessary support the station required:—zealous and attentive in all to the honour of the public and their nearest concern: unbiased either by friend or foe: intimidated by none: constantly attending to my duty

while a member of Assembly: making no promises but always keep^{g} myself disengaged upon every question for any officer whatever wanted to any Department of the State, or concerning any other matter of moment till it came before the House and then voted according to *my own* best judgment for the good of the whole: always thinking it cowardly to leave the House on a division upon any question whatever, unless it merely concerned myself or I really did not understand the terms it was put in: seldom upon making a motion have I previously secured even a second: but more than that I always looked upon as caballing, warping men's judgments and a kind of treason against or at best pitifully and dirtily crimping for the State and if I now towards the close of a long, disinterested and laborious service ask any favour, either of individuals or the publick in general let it be to be looked upon as a citizen detesting licentiousness and totally devoted to the cause of equal *constitutional* liberty, religious and civil to all, Governors and governed, and having not a desire (and who never had) for himself or family in these respects that he does not from the bottom of his soul wish for every honest man in the State and indeed in all the world.

Believe me Sir the exquisite feelings arising from a consciousness of having acted in this steady uniform manner in publick life has made me more than ample amends for every neglect, every disagreeable circumstance it has occasioned through selfish ambitious arbitrary or designing men whose private views have been occasionally thwarted thereby. I have served with pleasure under the President, am a witness to his indefatigable attention to the publick interest not only in his present, but in several other important stations, on very trying occasions, have long and well known his honest sensible Heart and fixed attachment to the publick good, feel extremely for his delicate situation and most earnestly wish for my Country's sake that he had the support he so much merits from every good and honest man in the State and *to w^{ch} as a private* citizen I am hopeful to contribute my mite. In a publick station, as times go, I can afford him none. Give me leave to conclude wth declaring that had I not thus shewn my publick resentmt in the strongest manner I am able agst the proceedings justly represented by his Excell^{y}, the President in his message of the 3^{d} Sept^{r} I should have ever thought myself accountable for all the riots and mobs throughout the State that may happen in consequence of that which happened in Cha^{s} Town the 5th June and as having abetted the artful opposers and disturbers of our peace by negatively at least assisting them in their indirect underhand practicings on the weakest part of the Constitution, the present allowed disproportion of members in order to throw all into confusion and when an opportunity serves get the whole new modeled more to their goût; and as sacrifising the duty I owe as officer to the whole state to the idle tickling of a momentary popularity wth a too assuming small part.

I am S^{r} wth great respect
Y^{r} Honours most obed servt
C. G.
5th October 1778.

3. Correspondence of Eli Whitney relative to the Invention of the Cotton Gin.

[For the following contribution the REVIEW is indebted to Dr. M. B. Hammond, of the University of Illinois, author of a monograph on the *Cotton Industry in the United States*, soon to be published by the American Economic Association, and to Eli Whitney, Esq., of New Haven.]

THE story of the invention of the cotton gin by Eli Whitney, of Massachusetts, while he was a guest of the family of General Nathanael Greene, at their residence near Savannah, Georgia, has long been one of the historic traditions familiar even to school children. But circumstances have arisen within recent years which make it desirable to recall the old story of the invention, and to examine its claim to a place in the history of the industrial development of the nation.

In the recent literature of the cotton industry, especially that contributed by Southern writers, there have appeared numerous references and assertions which show plainly that there is a growing conviction at the South, either that Eli Whitney was not the real inventor of the saw gin, or that his gin became practicable as an instrument for cleaning the green seed cotton, only when supplied with subsequent improvements by other inventors, or, at any rate, that Whitney was aided in the construction of his machine by suggestions derived from witnessing the efforts and partial successes of other experimenters. Instead, therefore, of the cotton gin being an original product of Whitney's brain, it was, say these writers, only the successful combination of the discoveries and experiments of equally brilliant but less fortunate artisans who had wrestled with the same problem.

In support of their statements these writers have usually given a more or less full and plausible account of what they believe to be the true origin of the cotton gin, and of the perversion of history by which Whitney secured the honor which entirely or partly belonged to another.

I have no wish to charge with insincerity any of these persons who either through published writings or through personal correspondence have set forth the claims of those whom they believe to be justly entitled to the credit of having given to the world this great invention. The respectability of these gentlemen, and the manner of their writing, are indisputable witnesses of their candor in this matter. And, indeed, their stories are only in line with the theory of invention which will be found to be the true explanation of the majority of the great discoveries in the arts and sciences.[1]

[1] See Brentano, *Ueber die Ursachen der heutigen socialen Noth*, pp. 7 ff.; Hobson, *The Evolution of Modern Capitalism*, p. 58.

That Southern men conscious of the needs and existent difficulties in the way of separating cotton from its seeds, should have made efforts and even important contributions toward solving this problem, rather than have left the whole problem to be worked out by a stranger who "had never seen cotton or cotton seed in his life," is only what, in the ordinary course of events, we should have expected; and anything which tends to confirm our expectations in this matter is a sufficient excuse for calling in question the verdict of history, and for attempting to ascertain whether the story of the invention in the little shop on the Savannah be not, after all, only a historical myth.

When Whitney went South in 1793, the subject of cotton ginning had already been much agitated in the Southern States. The green seed or short staple cotton had just begun to be cultivated for the market in the upper parts of South Carolina and Georgia, and, provided that an easy method of cleaning it could be devised, its cultivation gave promise of much success. In the tide-water region of the South from Delaware to Georgia small crops of cotton of a black seed variety[1] had been raised for domestic use almost since the first settlement of the country. Shortly after the close of the Revolution the long staple, sea-island cotton had been introduced into the United States from the Bahamas and was successfully cultivated in the southern part of this region, especially in Georgia.

The work of separating the seeds from the lint of the cotton was at first done by hand. But this was a very tedious and unprofitable undertaking. Whitney says that he had never seen anyone who claimed that he could clean as much as one pound a day in this way. In Williamsburg County, South Carolina, it was the custom in 1790 to require each field laborer and his family to clean four pounds of lint cotton per week in addition to their ordinary work. "This would amount to one bale in two years."[2]

Attempts had been made quite early to devise a machine for the ginning of cotton. There had been introduced from India, where it had been in use for centuries, the *churka*, a simple hand-mill having two wooden rollers, grooved longitudinally, mounted on upright posts and, by means of a crank or treadle, made to revolve in opposite directions. This machine was used in cleaning the black seed cottons and performed its work in a very imperfect manner. Modifications of the *churka* had also been attempted. M. Dubreuil, a planter in the French territory of Louisiana, had devised a gin in

[1] Seabrook, *Memoir on the Origin, Cultivation and Uses of Cotton*, 15.

[2] Handy, *History and General Statistics of Cotton*, in *The Cotton Plant*, Bulletin 33, Office of Experiment Stations, U. S. Dept. of Agric. (1896), p. 38; H. Hammond, *Handbook of South Carolina*, p. 11.

1742 which was so successful that it had a noticeable effect in increasing the production of cotton in that province.[1] Thirty years later Mr. Crebs, of West Florida, brought out a gin resembling the *churka*.[2] This was introduced into South Carolina in 1776 and into Georgia two years later. In 1778 Kinsey Burden, of South Carolina, devised a roller gin, and in 1788 Mr. Bisset, of Georgia, invented one by means of which a boy or girl could clean five pounds of long staple cotton in a day.

Ginning machines seem also to have been in use in some of the cities where cotton was marketed, and in the first factories for the manufacture of cotton goods which were established at the close of the Revolution. Richard Leake, a Georgia planter, wrote to Thomas Proctor, of Philadelphia, in 1788, that he had heard of gins in use in Philadelphia "that will clean 30 to 40 pounds clean cotton in a day and upon very simple construction."[3] A Charleston correspondent of Carey's *American Museum*[4] writes under date of July 1, 1790, that: "A gentleman of great mechanical knowledge, instructed in most of the branches of cotton manufacture in Europe, has already fixed, completed and now at work on the High Hills of Santee, near Statesburgh, and which go by water, jenning, carding and slabbing machines, also spinning machines with eighty-four spindles each, and several other useful improvements for manufacturing every necessary article in cotton, which is planted in considerable quantities, and grows to perfection and profit in that neighborhood." An ancient ginning machine dating even anterior to 1790, and which is said to have possessed "all the essentials of a modern cotton gin," was exhibited at the Atlanta Exposition of 1881, but nothing concerning its history could be ascertained, except that it came from the neighborhood of Statesburg.[5]

But whatever success these primitive machines may have had in cleaning the sea-island cotton or that grown in the tide-water region prior to the Revolution, they proved inadequate to the task of ginning the green seed cotton of the upper country. In 1790 Dr. Joseph Eve, of Augusta, Georgia, made great improvements in the roller gin and adapted it to be run by horse or water power. "It was claimed that his gin would detach the seed from short staple cotton; but it appears not to have succeeded in doing this."[6]

It is quite possible that other mechanics may have endeavored to solve the problem of cotton ginning and that they may have at-

[1] Bishop, *History of American Manufactures*, I. 351.
[2] Ibid., pp. 352–3.
[3] Quoted by Handy, *op. cit.*, pp. 35, 36.
[4] Vol. VIII., Appendix IV., p. 11.
[5] Handy, *op. cit.*, p. 38.
[6] H. Hammond, *Hand-book of South Carolina*, 38.

tained a partial success. A commission had been appointed by the state of Georgia to encourage such efforts,[1] but there is no evidence that it succeeded, or that any entirely successful attempt to produce a machine which would gin the short staple cotton had been made prior to the invention of the saw gin in the spring of 1793.

Among the claims to the invention of the saw gin which have been made in behalf of other persons than Whitney, perhaps the most widely circulated, although certainly the least plausible, is that which has been put forth in behalf of Mrs. Greene, Whitney's hostess and patron. It is said that this lady, being a woman of great mechanical ingenuity and much interested in the problem of how to clean the short staple cotton, either made or caused to be made a machine which should accomplish this purpose. Being a modest woman, however, she shrank from the connection of her name with the invention, and she therefore begged of Mr. Eli Whitney, the school-teacher and law-student, then a resident of her household, that he would assume the responsibility of having originated the design of the machine. To this Whitney readily consented, and soon after secured a patent in his own name, and thus obtained the honor of having given to the world this great invention.[2]

A more plausible argument than the above is that advanced in favor of Hogden Holmes, of Hamburg, South Carolina. By some persons it has been claimed that Holmes was the real inventor of the cotton gin and that Whitney stole the idea from him; while by others the priority of Whitney's invention is conceded, but the claim is advanced in behalf of Holmes that he was the first person to make use of saws for cleaning the cotton and that this improvement more than anything else contributed to make the gin a practical success.[3]

What gives countenance to this claim, especially as it relates to the use of saws, is the fact that a patent was issued to Holmes for an "Improvement in the Cotton Gin," by the United States Patent Office, on May 12, 1796. The letters patent are still in existence.[4] The Holmes machine was set up in the grist mill of Captain James Kincaid, on Mill Creek, in Craven (now Fairfield) County, South Carolina, in 1795, and is reported to have been the first of the saw

[1] D. A. Tompkins, *Cotton and its Uses*, in the *Manufacturers' Record*, Nov. 1, 1895. Supplement, p. 1.

[2] This is substantially the version of the story put forth by a writer in Annie Nathan Meyer's *Women's Work in America* (N. Y., 1891), but practically the same story has been oftentimes repeated.

[3] D. A. Tompkins, *Cotton and Its Uses*, in the *Manufacturer's Record*, Nov. 1, 1895.

[4] The original parchment copy is in the possession of the South Carolina State Historical Society, Charleston.

gins used in that state.[1] It is from Mr. Thomas Anderson, of Long Run, Fairfield County, South Carolina, a great-grandson of Captain Kincaid, that we have the clearest account of the extreme claim made in behalf of Holmes. Mr. Anderson derived his information from accounts of the affair related to him by his grandmother and grand-aunt, daughters of Captain Kincaid. Mr. Anderson's account, as given in a personal letter to the writer,[2] is that:

"The cotton gin was first designed by one Hodgson Holmes, a Scotchman living at a place called Hamburg, opposite Augusta, Ga., on the Carolina side. It is reported that Holmes' original intention was for his implement to be a wool burrow, he having been the owner of a carpenter shop at which such a machine could easily be constructed. Eli Whitney, of Connecticut, being both a carpenter and schoolmaster by trade, when out of employment as the latter would sometimes work with Holmes and meddled so suspiciously with Holmes' machine that he was finally discharged. Now Hamburg was the northern limit of navigation on the Savannah and my grandfather did his trading there largely. Being himself of Scotch descent, an intimate acquaintance naturally sprang up between Holmes and him. Holmes had not the means of testing the merit of his invention, and requested Capt. Kincaid, who possessed the necessary water power, to take the machine to his place in order to test it. The experiment proved it to be successful as a cotton gin.

"Whitney followed at some subsequent period. He came to my great-grandfather's residence during the absence of the latter and requested Mrs. Kincaid to see the curious machine Captain Kincaid was reported to have had. She readily assented and gave him the keys, which he duly returned and left immediately. . . . Whitney is supposed to have left immediately for the North and in a short time was famous as being the inventor of the cotton gin. . . . This machine (the Holmes gin) was frequently pointed out to me by old servants as well as reliable white gentlemen as being the first and only one of its kind. It was a very crude elementary machine. It was very small; there were only four ribs to the brush; there were saws, as in the improved machine—all entirely hand-made—everything wood, except the gudgeons or bearings which were inserted in wooden shafts; there were cogs, also a pulley, if I remember rightly. . . . This gin was burnt with my gin house by Sherman in 1865, with all papers and effects belonging to it, together with everything valuable on the place except the dwelling. Possibly some of the records were preserved by being carried off. There is no doubt in my mind that Holmes is the actual inventor of the cotton gin and the honor given to Whitney is due merely to his stealing the patent; since no personal motive could have induced my family to

[1] Seabrook, *Origin, Cultivation and Uses of Cotton*, p. 17; *Handbook of South Carolina*, p. 11. These authorities, however, supposed the gin on Mill Creek to have been one of the Whitney patent gins.

[2] Dated Long Run, S. C., Jan. 17, 1895.

invent this story. No credit could possibly have accrued to them, since Holmes himself was the sole inventor."[1]

Analogous to the claim made for Holmes of having been the first person to make use of saws for cleaning cotton, is the claim put forth on behalf of Col. O. A. Bull, of LaGrange, Georgia, who is also said to have been the first to engraft this improvement on the Whitney gin.[2]

Still another claimant for the honor of having invented the cotton gin has been put forth under the name of Joseph Watkins, of Petersburg, Elbert County, Georgia. Mr. Hugh N. Starnes, now horticulturist of the Georgia Experiment Station, Experiment, Georgia, has stated in a printed article[3] that Joseph Watkins, a wealthy planter living in Petersburg, then a thriving tobacco market, on the upper Savannah, had originated, constructed and had in operation a gin for cleaning the short staple cotton. Shortly after Mr. Whitney began working on his own machine, says Mr. Starnes, he learned of the Watkins machine and made a journey to see it. He found that it "corresponded almost identically to his own conception."[4] But in one respect it was an improvement; it was provided with a brush cylinder for sweeping away the particles of cotton. Carefully noting all the important points in the machine, Whitney returned to Mulberry Grove and constructed his own machine. Thus, continues Mr. Starnes, "Eli Whitney, while none the less the legitimate inventor of the cotton gin, as he had already developed independently in his mind its essential features, and though undoubtedly its improver and introducer, was neither its first inventor, constructor nor operator."[5]

In the article from which the above is quoted Mr. Starnes expressed a willingness to substantiate, on demand, all that he had therein stated concerning Joseph Watkins.[6] Acting upon this suggestion, I communicated with him, requesting the authority for his statements, and received a cordial reply,[7] from which the following is an extract:

[1] Mrs. R. B. Boyleston, a granddaughter of Hogden Holmes, gives an account of the invention similar to that given by Mr. Anderson, but gives the location of the gin and the place of the supposed Whitney visit, as Augusta or Hamburg. Letter of G. H. M'Master, of Winnsboro', S. C., to the writer, dated February 20, 1896. W. D. Aiken of Princeton, N. J., a great-grandson of Holmes, relates the same story as told by Mrs. Boyleston, but adds "I know not how true (it is)." Letter of W. D. Aiken to the writer, dated Princeton, N. J., January 27, 1896.

[2] D. A. Tompkins, *Cotton and Its Uses*, in *Manufacturers' Record*, Nov. 1, 1895; *Handbook of South Carolina*, 593.

[3] *Southern Bivouac*, n. s., I. 385–395.

[4] Ibid., 390.

[5] Ibid, 390.

[6] Ibid.

[7] Dated Experiment, Ga., Feb. 14, 1896.

"The information which I received in regard to the gin invented by Joseph Watkins, of Elbert Co., Ga., was received from Col. T. C. Howard, of the Ga. State Dept. of Agriculture, some ten years ago. He gave me a copy of some paper in which the entire details of Watkins' invention and Whitney's visit to him at Petersburg, Ga., about 1794, were detailed—upon what authority I have now forgotten, though at the time I was, as I stated in the *Southern Bivouac*, prepared to produce the proof. There were at that time living certain men whose fathers had known Watkins personally, and could speak 'ex cathedra.' Like Col. Howard himself, they are now probably all deceased. If I had thought that the subject would ever come up again I would have taken pains to have put it permanently on record.

"In the article you refer to in the *So. Bivouac*, it is stated that Watkins was frequently urged to contest Whitney's right to his patent, but, being a wealthy planter, money was no object to him and hence he always declined. The newspaper article referred to contained a partial or rather general description of Watkins' machine, but I cannot now recall the details.

"I do not think, however, that there can be any doubt but that Watkins invented a gin independently of Whitney, and probably before him, or that from this machine Whitney adapted many improvements which he grafted on his own, after his visit to Watkins at Petersburg. Still, as Whitney was the first to put the machine to a practical use and to launch it permanently into existence, he is undoubtedly entitled to the credit of the invention.

"I regret that I cannot give you any more definite information than this. You have sprung the subject on me exactly ten years too late."

While still engaged in investigating these various claims to priority in the invention of the cotton gin, I learned that a grandson of Eli Whitney, who also bears the name of his distinguished ancestor, was living in New Haven, Conn. A correspondence with him resulted in his loaning me a large number of his grandfather's letters and papers. With the exception of extracts from two or three of the least important of these, published by Prof. Olmsted in his *Memoir of Eli Whitney, Esq.*,[1] these letters have never been made public. An examination of these soon convinced me that the verdict of history, which had credited Eli Whitney with the invention of the saw gin, could not now be set aside; and that the claims put forth in behalf of the above-mentioned persons, either to the whole or a part of the invention, were without any real foundation. Believing that the publication of these letters would aid in settling this controversy, I solicited and obtained permission of Mr. Whitney to publish such of the letters as bore directly on the invention of the

[1] First published in 1832 in the *American Journal of Science*, reprinted as a pamphlet in 1846.

cotton gin. But before giving the letters themselves, a word or two regarding the above-mentioned claims to this great discovery may not be amiss.

The claim made in behalf of Mrs. Greene is so puerile that it scarcely deserves notice. No evidence of any kind, so far as I know, has ever been brought forward in support of this claim. The entire pretension seems to rest on a little incident connected with Whitney's work on the gin. The inventor, it seems, had encountered a difficulty in the fact that the cotton lint after having been disengaged from the seed adhered to the teeth of the cylinder and impeded the work of the machine. He was greatly perplexed to know how to overcome this difficulty, when Mrs. Greene, who had been a witness to his fruitless efforts to disengage the cotton from the teeth of the cylinder, picked up the hearth-brush and laughingly remarked, "Why don't you use this?" Acting on this suggestion, Whitney returned to his work and added a second cylinder, studded with stiff bristles, revolving contiguous to, but in an opposite direction from, the other cylinder. This served to sweep the particles of cotton away as they were ginned and made the gin a practical success.[1] Valuable as this suggestion may have been to Whitney, it does not require a very discerning mind to distinguish between the importance of this suggestion and that of the invention itself.

The Holmes affair is thoroughly exposed in the following letters, as, indeed, it was in the federal courts in Georgia in 1807 and later.[2] The claim of Holmes himself does not seem to have been for the entire gin, but only for the supposed improvement of saws. But if anything more than the following letters is required to disprove this claim made for both Holmes and Bull, it may be found in the original specifications of Whitney's gin. Among the Whitney papers is a manuscript copy of the original specifications, dated and certified to before a notary public in New Haven, on October 28, 1793. In these specifications, Whitney, after describing the method of making and attaching the wire teeth, adds a foot-note as follows: "This is the method in which I have usually made the teeth. They may be made with flat rings made fast to the cylinder and teeth cut in the out edge of these rings like those of common ratchet wheels. Teeth set in right lines like a number

[1] Sketch of Eli Whitney, by William Scarborough, Esq., in the *Southern Agriculturist*, August, 1832.

[2] Whitney *vs.* Carter. See *Fessenden on Patents* (edition of 1810), pp. 122 ff. See also Whitney *vs.* Fort, and Whitney *vs.* Carter in Olmsted, *Memoir of Eli Whitney, Esq.*, pp. 39–46.

of saws put into one frame will likewise (on the same principle) produce the same effect; but it is not so eligible a mode."

The Watkins claim appears at first sight more serious. It has already been mentioned that it was quite probable that Southern mechanics had worked on the problem of the cotton gin before Whitney went South, and not impossible that some of them may have obtained a partial success. Perhaps the Watkins gin may have been an example of this latter class.[1] It must be plain to every one, however, that something more than a mere newspaper statement is necessary for the building up of such claims as are advanced by Mr. Starnes. The eager demand for a cotton gin which caused the people to break into Whitney's shop and carry off his machine does not give support to the supposition that a previous invention which performed the work of cleaning the short staple cotton in a satisfactory manner would have remained unheard of. Mr. Starnes' explanation for this, "the isolated location of Mr. Watkins, his great distance from the coast, and the difficulty of communication at that time,"[2] is entirely inadequate. The upper country was the region where the short staple cotton was cultivated, and where the demand for the gin arose.

The gentlemen whose conversation first gave Whitney the idea of inventing the cotton gin were from the upper country in the neighborhood of Augusta,[3] not a great distance from Petersburg, and it seems hardly possible that they should have failed to hear of a gin already in successful operation in their own country.

The part of the story which refers to Whitney's visit to Watkins, and to his adopting from the latter's gin several improvements which he engrafted on his own, is of course entirely mythical, and it is needless to say that this defect discounts to a considerable extent the value of the remainder of the story. Whitney, during the construction of his machine, never left Mulberry Grove, except to visit Savannah for the purpose of securing materials for his work and cotton in the seed for his experiments. How he obtained the idea of the brush cylinder, which Mr. Starnes asserts to have been borrowed from Watkins' machine, we have already mentioned.

In transcribing the following letters, I have endeavored to preserve the punctuation, the use of capitals and the spelling, which is often lame, exactly as in the original manuscripts. Where omis-

[1] Inquiries which I have made in Elbert Co., and LaGrange, Ga., with reference to Watkins and Bull have failed to elicit any information concerning them. A patent for an "Improvement in Ginning Cotton" was issued to one Robert Wadkins in 1796. Perhaps this, by a slight confusion of names, may have formed the foundation for the story concerning Joseph Watkins.

[2] *Southern Bivouac*, n. s., I. 390.

[3] Olmsted, *Memoir of Eli Whitney, Esq.*, p. 13.

sions of words are due to the carelessness of the writer, I have made no attempt to supply the deficiencies. Where the omissions are the result of illegibility, or the torn condition of the letters, I have endeavored to supply such words as are required by the sense of the communication. All such additions are enclosed in brackets. Without further comment, therefore, than merely hoping that the appended correspondence may, in addition to settling the question at issue, be found to throw some light on the social and economic conditions of the South a century ago, the letters themselves are now for the first time submitted to the public.

M. B. Hammond.

I. ELI WHITNEY TO ELI WHITNEY, SEN'R.[1]

New Haven, Sept. 11th, 1793.

Dear Parent,

I received your letter of the 16th of August with peculiar satisfaction and delight. It gave me no small pleasure to hear of your health and was very happy to be informed that your health and that of the family has been so good since I saw you. I have fortunately just heard from you by Mr. Robbinson who says you were well when he left Westboro. When I wrote you last I expected to have been able to come to Westboro' sooner than I now fear will be in my power. I presume, sir, you are desirous to hear how I have spent my time since I left College. This I conceive you have a right to know and that it is my duty to inform you and should have done it before this time; but I thought I could do it better by verbal communication than by writing, and expecting to see you soon, I omitted it. As I now have a safe and direct opportunity to send by Mr. Robbinson, I will give you a sumary account of my southern expedition.

I went from N. York with the family of the late Major General Greene to Georgia. I went immediately with the family to their Plantation about twelve miles from Savannah with an expectation of spending four or five days and then proceed into Carolina to take the school as I have mentioned in former letters. During this time I heard much said of the extreme difficulty of ginning Cotton, that is, seperating it from its seeds. There were a number of very respectable Gentlemen at Mrs. Greene's who all agreed that if a machine could be invented which would clean the cotton with expedition, it would be a great thing both to the Country and to the inventor. I involuntarily happened to be thinking on the subject and struck out a plan of a Machine in my mind, which I communicated to Miller, (who is agent to the Executors of Genl. Greene and resides in the family, a man of respectibility and property) he was pleased with the Plan and said if I would pursue it and try an experiment to see if it would answer, he would be at the whole expense, I should loose nothing but my time, and if I succeeded we would share the profits.

[1] No cover. Sent by the hand of Mr. Robbinson, of Westborough, Massachusetts.

Previous to this I found I was like to be disappointed in my school, that is, instead of a hundred, I found I could get only fifty Guineas a year. I however held the refusal of the school untill I tried some experiments. In about ten Days I made a little model, for which I was offered, if I would give up all right and title to it, a Hundred Guineas. I concluded to relinquish my school and turn my attention to perfecting the Machine. I made one before I came away which required the labor of one man to turn it and with which one man will clean ten times as much cotton as he can in any other way before known and also cleanse it much better than in the usual mode.[1] This machine may be turned by water or with a horse, with the greatest ease, and one man and a horse will do more than fifty men with the old machines. It makes the labor fifty times less, without throwing any class of People out of business.

I returned to the Northward for the purpose of having a machine made on a large scale and obtaining a Patent for the invintion. I went to Philadelphia soon after I arrived, made myself acquainted with the steps necessary to obtain a Patent, took several of the steps and the Secretary of State Mr. Jefferson agreed to send the Pattent to me as soon it could be made out—so that I apprehended no difficulty in obtaining the Patent—Since I have been here I have employed several workmen in making machines and as soon as my business is such that I can leave it a few days, I shall come to Westboro'. I think it is probable I shall go to Philadelphia again before I come to Westboro', and when I do come I shall be able to stay but few days. I am certain I can obtain a patent in England. As soon as I have got a Patent in America I shall go with the machine which I am now making, to Georgia, where I shall stay a few weeks to see it at work. From thence I expect to go to England, where I shall probably continue two or three years. How advantageous this business will eventually prove to me, I cannot say. It is generally said by those who know anything about it, that I shall make a Fortune by it. I have no expectation that I shall make an independent fortune by it, but think I had better pursue it than any other business into which I can enter. Something which cannot be foreseen may frustrate my expectations and defeat my Plan; but I am now so sure of success that ten thousand dollars, if I saw the money counted out to me, would not tempt me to give up my right and relinquish the object. I wish you, sir, not to show this letter nor communicate anything of its contents to any body except My Brothers and Sister, *enjoining* it on them to keep the whole a *profound secret.*

Mr. Robbinson came into town yesterday and goes out tomorrow, this has been such a bustling time that I have not had oportunity to say six words to him. I have told him nothing of my business—perhaps he will hear something about it from some body else in town. But only two

[1] In a letter to Jefferson, dated Nov. 24, 1793, Whitney stated that with this machine "it is the stated task of one negro to clean fifty weight (I mean fifty pounds after it is seperated from the seed), of the green seed cotton per day." Olmsted, *Memoir of Eli Whitney, Esq.*, p. 17.

or three of my friends know what I am about tho' there are many surmises in town—if Mr. Robbinson says anything about it, you can tell him I wrote you concerning it, but wished not to have it mentioned. I have been considerably out of health since I wrote you last; but now feel tollerably well. I should write to my Brothers and Sister but fear I shall not have time—hope they will accept my good wishes for their happiness and excuse me.

With respects to Mama[1] I am,
kind Parent, your most obt. Son
ELI WHITNEY, Junr.

Mr. Eli Whitney.

II. ELI WHITNEY TO ELI WHITNEY, SEN'R.[2]

NEW HAVEN, August 17th 1794.

Hon'd Sir,—

It gives me pleasure that I have it in my power to inform you that I am in perfect health. I left Savannah just three weeks ago. We had a passage of Eight Days to New York, where I spent several days and have been here about a week. I was taken sick with the Georgia fever about the middle of June and confined to my bed ten or twelve days, but had got quite well before I left the Country. There were several very hot Days preceeding my sickness during which I fatigued myself considerable and which was probaply the cause of my illness.

My Machinery was in opperation before I came from Georgia. It answers the purpose well, and is likely to succeed beyond our expectations. My greatest apprehensions at present are, that we shall not be able to get machines made as fast as we shall want them. We have now Eight Hundred Thousand weight of Cotton on hand and the next crop will begin to come in very soon. It will require Machines enough to clean 5 or 6 thousand wt. of clean cotton pr Day to satisfy the demand for next Year. I mean for the crop which comes in this fall. And I expect the crop will be double another year.

Within a few weeks a number of persons (I believe about twenty) have died, in this place with a putrid fever it appears to be very contagious and has excited very considerable apprehensions especially in the country. There are various opinions about the disorder—Many suppose it to be the same that was in Philadelphia last summer. It appears pretty certain that the disorder was imported from the W. Indies where it is very prevailant. There are but very few sick at present and if the weather should continue cool I think it will wholly disappear in a few days.

I am going to N. York this week, where I hope not to be detained long, from thence I expect to return here again. My next journey will be to Westboro' where I hope to meet you in happy circumstances. My

[1] Eli Whitney's step-mother. His own mother died while he was still a young lad.

[2] Cover addressed "Mr. Eli Whitney, Westborough, near Worcester, Massachusetts." Postage 12½ cents.

respects to Mama. I wish to be affectionately remembered to my Brothers and Sister and [subscribe] myself your most

Obt. and Dutiful Son

ELI WHITNEY, Junr.

Mr. E. Whitney.

III. ELI WHITNEY TO ELI WHITNEY, SEN'R.[1]

NEW HAVEN, March 22d, 1795.

Honord Sir,

I wrote yŏu from New York but a few Days since at which time I was quite out of health. My health is not yet restored entirely but I am on the mending hand, and hope in a few days to be quite recovered.

I mentioned in my last letter that my business was in a prosperous train and that no disaster had befallen me. But alas, how is the scene changed! When I returned here from N. York I found my property all in ashes!—My shop, all my tools, material and work equal to twenty finished cotton machines all gone. The manner in which it took fire is altogether unaccountable. It caught fire when the workmen were gone to breakfast. The shop was swept as clean as any dwelling house the evening before, there was not a hatcrown full of fire in both chimneys, and not a bucket full of chips or shavings in all the building. The hearths were swept the last thing before the shop was left. The most probable conjecture that I can make is that it took from the broom. From the account I have collected since my return, I am convinced that it was not more than ten or fifteen minutes at most after the workmen left the shop before they returned and found the shop so completely on fire that it was impossible to save the least article out of it. It burned with amazing violence and it was with difficulty that the new building which I set up last fall was saved.

You probably have seen some account of my misfortune in the News Paper where the Damage is estimated at three thousand Dollars, but I would very freely pay ten thousand Dollars, if I had the money, to have it restŏred. Indeed, three thousand pounds would by no means make good my loss.

For more than two years I have spared no pains nor exersion to systimatise and arrange my business in a proper manner. This object I had just accomplished. It was the purchase of many a toilsome Day and sleepless night. But my prospects are all blasted, and my labor lost.

I do not, however, dispair and hope I shall not sink under my misfortunes. I shall reestablish the business as soon as possible, but [it will] be a long time before I can [repair] my loss. My Respects to Mama and love to all my friends.

from your affectionate Son ELI WHITNEY, Jur.

Mr. E. Whitney.

[1] Cover addressed "Mr. Eli Whitney, Westborough, Massachusetts." Postage 12½ cents.

IV. ELI WHITNEY TO PHINEAS MILLER.[1]

NEW HAVEN, Decem 25th, 1795.

Dear Miller,

Yours of the 27 inst has come to hand, and I am very happy hear of your safe arrival in Georgia. I am also very glad our certificates are likely to answer in a Valuable purpose.

The cotton which the English Manufacturers complain of, must have been *naturally* bad. The little knots which you mention as being made by the load or quantity carried thro' by each several tooth, are the imperfect seeds which are in the Cotton before it is put into the Machine. They are knots which *nature* has made and not the Gin. And I will bet every farthering I am worth that this same Cotton which they complained of would not have been so valuable by 50 pr. Cent. if it had been Ginned with Rollers. So that these knots will finally, when the truth comes to be known, make our Machine much the more valuable. For you know our last machines take the most of them out. You will always find the Cotton which Contains these knots, short, and of an imperfect growth.

Out of the five hundred Wt. of Cotton, of our cleaning, which has been manufactured by our manufacturers here, one Hundred Wt. was very full of these knots, and they complained of it very much; but were never so stupid as to suppose that these knots were made by the Machine in Cleaning. Since I rec'd yours I have mentioned this circumstance to Buel and Mackintosh. They say there was never anything more absurd, that it is totally impossible the Machine should produce these knots. I think you will be able to convince the *candid* that this is quite a mistaken notion and them that *will not believe* may be damn'd.

I have just been to New London and settled off the business of the David and Jot.[2] The charter party amounted to 260 Dolls. The wages and other expenses to about as much more. Dickinson is a Damn'd Villian and it seems everybody in New London knew it except Capt. Harris. I made Dickinson pay for ten Galls. of the rum which he drank during the Voyage and had charged to the Vessel—struck out of his account six or Eight Dollars more and settled with him. He is likely to pay dearly for abusing the Boy who went out in the sloop. There is an action commenced against him by the Boy's father. Dickinson has offered forty Dlls to settle it and avoid a trial.

I supposed the Premmium for the insurance was paid before I went to New London, so that I did not go prepared to settle it. I called on Mr. Parkin, however, and told him I would see that it was settled, shortly. So much for *Navigation*. Money is growing extremely scarece in this State, ten times so much so as when you was here. Speculation is at a stand, just at present. It is a conceeded Maxim, that it altogether uncertain whether a Land Speculator is worth anything or not. And the

[1] Cover addressed "Phineas Miller, Esq., Mulberry Grove near Savannah, Georgia. *Mail Augusta*. Sav^h. forw^d. 9 febr forw^d." Postage 25 cents.

[2] A sailing vessel in which Miller had sent seed cotton to his partner at the North; probably named David and Jonathan.

Money-lenders are very shy of a man who is concerned in the business. Jos. L. Wooster for instance, (who I believe is worth more money than when he engaged in speculation) cannot hire money so low by six pr. Cent pr. Ann. as he could before he engaged in speculation, and it makes that difference in getting his note discounted. It is my candid opinion that I could not now borrow money for carrying on our business here, so readily nor [on such favorable] terms as if you had never been [concerned] in speculation.

Our business here progresses tolerably well. We are beginning to have [plenty] of materials on hand. I think I shall make another shipment of Machines in February and one in March. My Brother is come to undertake the care of our business. I go to N. York soon. After my return I shall set about the exemplfying Models. I wish you to inform me when the suit will come to trial and of the manouvers of our enemies. I have had several pressing applications from the proprietors of the Connecticut Cotton manufactury for one of our machines to pass all their cotton through, in lieu of beating, and have promised to make them one as soon as business will permit.

Your friend and partner,

ELI WHITNEY.

N. B. My love to my Brother and inform him our friends in Massachusetts are all in usual health, and regards to all other friends.

V. PHINEAS MILLER TO ELI WHITNEY.[1]

MULBERRY GROVE Feb. 15th, 1797.

Dear Whitney,

The mystery of your silence is unravelled and I am much rejoiced—during my absence to the upper country your letters of 17 and 27 Nov. the 15 and 20th of Dec. and the 6th Jan. came to hand. Not one of these reached here until the latter part of January the letters by Bontacee had carelessly been retained by the person who brought them.

Your advice respecting the mistake most probably committed by the Rhode Island Factory is agreeable. My anxieties on this subject are kept awake by the large sum we have at stake. You are almost surprised that my confidence should be shaken the people here are surprised that it should not be entirely destroyed.

I think your advice good respecting keeping a supply of cotton at New Haven and New York. I have only been prevented from pinching necessities doing this heretofore and shall proceed as much as my funds will possibly admit this winter. I have indeed endeavored to extend my credit to the purchase of 40 or 50 m weight of cotton at the low price at which it is to be had at present—viz $3.50 and for cash $3 per hundred. I have also set on foot in common with Mr. Rupel a traffic over the mountains to the distance of three hundred miles by land, which I think will enable us to vend a few thousand weight of cotton very profitably.

[1] Cover addressed "Eli Whitney, Esq. New Haven, Connecticut." Postage 14 cents.

Fortunate have we been in one instance among so small a number of misfortunes in saving our cotton and samples of cotton at New York. The repeated disappointements which have yet prevented your departure for England have become so frequent that they almost cease to create surprise, and yet the evil arising from the detention is by no means diminished. I really think that it will not be best that Nightingale should engage with us untill some change in our affairs can be brought about. We require at present his assistance and I should wish to make him the most liberal recompense without subjecting him to our misfortunes, in addition to his own.

It will be best to take the deposition of Goodrich and Stebbins on the subject of ratchet wheels which may hereafter be rendered useful. I fear it cannot be had in time for our Court which will sit the last of April. The name of the Patentee for the surreptitious Patent I think is Robert Homes.[1] The names of our Defendants, *Kennedy and Parker* and Edward Lyons. I expected you would have procured and sent on the copy of the Patent which was to be set aside. I shall now write for it myself. The order which was given to Adams for the saw mill Crank was sufficiently correct. I find by his letter that he understood it exactly as was intended—but the difficulty arose from my omitting to explain the mode of our applying these Cranks which did not appear to me necessary. It is now too late to make them—others are procured.

With best wishes for your early departure and with the regards of our family I am truly your friend

PHINS. MILLER.

VI. PHINEAS MILLER TO ELI WHITNEY.[2]

MULBERRY GROVE, May 11th 1797.

Dear Whitney,

To day for the first time Mr. Miller appears decidedly to be recovering from a confinement of nearly a month past. This affords a relief to my mind which enables me to sit down for the purpose of detailing to you the present situation of our ginning concern.

A constant attendance during every day of the Courts Session, without having been absent one night from home, had quite worn down my patience and health. I felt a few days of quiet perfectly indispensible to my restoration, which having obtained I feel myself once more in usual spirits.

The event of the first Patent suit after all our exertions made in such a varity of ways has gone against us. The preposterous custom of trying civil causes of this intricacy and magnitude by a common Jury together with the imperfection of the Patent law frustrated all our views and disappointed expectations which had become very sanguine.

We had the Judge with a Party to dine with us twice before the trial came on and got him fully prepared to enter into the merits of the case.

[1] This refers to Hogden Holmes, whose patent for "Improvement on Cotton Gin" was issued May 12, 1796.

[2] Cover lacking. Letter probably enclosed with the one following.

We had also got the tide of popular opinion running in our favor and many decided friends who adhered firmly to our cause and interest. Added to all this we got the trial brought on, against every measure they could devise for postponement and found them perfectly unprepared as to a knowledge of the strong grounds of their cause and without a single evidence in their favor. We were on the contrary pretty well prepared and neglected no means to become as much so as possible. An instance of our exertion in this respect I will just mention to you. It happened during the trial that a Paper was required to fix the amount of damages which had been left at this place among my other papers. The necessity for this paper appearing very great, Mr. Nightingale immediately mounted my best horse, in the middle of a very hot day came to this place examined my chest, draws, &c., and after a search of nearly half an hour, laid his hand on the paper, remounted his horse, on his way back met a fresh horse I had sent for his relief; and returned to the Court house in just two hours and forty minutes from the time he had left it—the paper came in time to procure admittance to the evidence we had brought, it being an agreement with Peter Robinson and was necessary to support the testimony of W. Shubert of Waynesborough. So that we had the cause well supported, and brought as much within the law as the nature of the trespass would possibly admit. The judge gave a charge most pointedly in our favor, after which the Defendant himself told an acquaintance of his, that he would give two thousand dollars to be free from the verdict—and yet the jury gave it against us after a consultation of about an hour. And having made this verdict general, no appeal would lie, on Monday morning when the judgment was rendered we applied for a new trial but the judge refused it to us inasmuch as that the Jury might have made up their opinion on the defect of the law which states an aggression to consist of *making devising* and using, or selling, and we could only charge the defendants with using. In a private conversation had with the Judge afterwards, he told me that we could have no hope of protecting our Patent rights without an alteration of the law, which he had no doubt but Congress would make for us, on application. Thus after four years of assiduous labour fatigue and difficulty are we again set afloat by a new and most unexpected obstacle. Our hopes of success are now removed to a period still more distant than before, while our expenses are realized beyond all power of controversy. The actual crisis has now arrived which I have long mentioned as possible, and sometimes almost or indeed quite apprehended as probable. This crisis is our insolvency as a Partnership. At the present time I have no idea that any person would chance our engagements to have the whole benefit of our patent, with all the property of which we have possessed ourselves under it. In this unfortunate dilemma I am however far from despairing, or being in bad spirits, since I do not consider the acquirement of property as the greatest blessing or the loss of it as the greatest misfortune which we can experience. I am even willing to make the same unremitted exertions to our mutual benefit, and still to pursue the fleeting prospect. The honor-

ary engagement which Mr. Nightingale[1] considers himself to have made for the [Junction] of our interests will induce him still to connect himself with our affairs in such a manner as would be more favourable than we could otherwise command. The severe indisposition of Mrs. Miller which has produced so much anxiety and confinement from me has hitherto prevented our fixing the terms of agreement but we shall now shortly set about it. Without such an agreement it will be quite impossible for us to proceed one step further in our concerns. For we have no possible resources to meet the demands which stand against us but from the proceeds of Nightingales and my speculation, and this cannot be diverted from his and my private engagements without a junction of his interest to justify such diversion.

Never indeed was the application of money rendered more distressful than it has been to the support of our unfortunate business. You recollect that the small sum which our necessities compelled me to take from the Estate of Gen. Greene I frequently mentioned the necessity of having returned in the course of the present winter. In this necessity I was not mistaken. My last letter from our Creditors in Charleston which was received some time ago, I enclose to you that you may perceive the exact situation of his claim and that we have very little chance of lenity. At the time when this money was taken for our use, I was under the necessity of acquainting Mr. Rutledge that we would certainly indemnify the Estate for any injury it might sustain in consequence of this diversion of its funds. Then you see our difficulties accumulating on every side in consequence of our repeated and continued disappointments and our prospects of success still keeping at a distance—and hence you will perceive a rational source to have existed for the despondency which you have sometimes seen me disposed to feel as respects the Copartnership concerns. If the greatest of our difficulties that of the bad reputation of our cotton could be but once removed, we could however still hold up our heads against the lawless state in which we have the misfortune to carry on our concerns as well as against the enemies of every kind who have conspired our ruin.

The acquirement of money from the speculating concerns of N. and myself would also greatly assist us, in one or other of these resources I will still rest our anchor of hope.

The family all join me in most affectionate regards to you and kind remembrances to your brother.

Your friend and Partner,

PHIS. MILLER.

[1] Nightingale was a son-in-law of Mrs. Miller (Mrs. Greene). He was a man of property who had speculated largely in Yazoo lands as had also Miller himself. Financial support was expected of Nightingale by Miller and Whitney, but just as he was about to embark in the enterprise his affairs became so embarrassed that he was obliged to give up all hope of helping the firm. Olmsted, *Memoir of Eli Whitney*, p. 24.

VII. PHINEAS MILLER TO ELI WHITNEY.[1]

MULBERRYGROVE May 12th.

Dear Whitney,

I wrote you a short detail of our affairs yesterday. I have concluded as this letter will go by water to New York to send you some part of the statements made to our counsel. My principal communications to them were however verbal. I had also prepared myself to speak on the cause and had obtained the consent of the Judge to address the Jury, but at the time it appeared inexpedient, for the trial took up the whole day till five o'clock in the afternoon, and as the Audience, the Jury and Judge himself appeared quite exhausted and to stand much more in need of a dinner than of elaborate arguments I recollected Goldsmith's character of Edmund Burke, "who went on refining, and thought of convincing, while they thought of dining." So I kept my speech to myself and left the case to stand by its merits which appeared to be decidedly in our favour. But we have had great reason in this as well as our other affairs to moralize on the uncertainty of all *sublunary things*, a truth which is not very difficult to perceive without the faithinspiring eyes of a christian. I would not however apply it to the comparative advantages of a future life, nor to recommend for your consolation the prospect of an advantageous compromise by being admitted sole cotton ginner to any of the departments of old Pluto, but simply to recommend that we take the affairs of this world patiently, and that the little dust which we may stir up about cotton may after all not make much difference with our successors one hundred, much less one thousand years hence.

Mr. Nightingale purposes to leave this for some parts of the Northern States in about four weeks, when we shall make our decampment for the summer. But the place where we shall erect our barrack or pitch our tent still remains suspended by the opinion of the French directory, whose decision respecting the molestation of our sea coast we have not yet learned. I am very truly

Ever your friend and partner

PHINS. MILLER.

VIII. PHINEAS MILLER TO ELI WHITNEY.[2]

WHITMARSH July 21st, 1797.

Dear Whitney,

I have just received your favor of the 25th Ultimo and am very happy to find that the evidences of the quality of our cotton still continue to accumulate upon you. For I have been so long and so continually placed in the very vortex of error and prejudice, of complaint and abuse respecting our unfortunate cotton gins, that some new evidence against a suspicion of insanity would seem requisite, to enable me to stand thus alone in opposition to public opinion. The instances you quote in favor

[1] Cover addressed "Eli Whitney, Esqr. New Haven, Connecticut." 2½ oz. Postage 104 cents.

[2] Cover addressed "Eli Whitney, Esq. New Haven Connecticut. Sava. 21. July." Postage 25 cents.

of the operation of the Gins seem pertinent and convincing. How great! very great would have been our acquirements could this opinion have been universal. I am much pleased that the few bags of cotton I sent you seem so well approved. They consisted of the tale of cotton which I had not money to purchase. The quality of this cotton was partly the common green seed of the country partly the *Nankeen* or [*Pernambuco*] *cotton* and a small quantity of black seed intermixed. Nightingale has some few bags of the same quantity with him, and some which has come from the upper country with the quality of which I am unacquainted. It was received by Capt. Toole for the Nott, and of course N. will be obliged to pay Josiah out of the proceeds.

The engagement which I mentioned to you of my Classmate Goodrich[1] is simply this. That when he shall have concluded the business of Mr. Nightingale for which he went into the upper part of this state—He is to proceed to Knoxville where we were informed that Cotton was saleable and make such enquiries as appeared to him the most judicious on the subject. From whence he was to proceed to Nashville and the Cumberland Settlements, and make himself acquainted with their culture of cotton and mode of cleaning it, and of the prospect of success which would attend an attempt to sell our machines there. From thence he was to proceed to Kentucky on the same business and then return by the back parts of Virginia for the purpose of looking for an inland market for the consumption of cotton of our ginning. If he should meet with any encouragement in these pursuits we shall come into some agreement for his future exertion in our business but if not he is to lose his time and we his traveling expences.

Mrs. M. joins in best regards to yourself and brother, with

Your friend and partner,

P. Miller.

IX. PHINEAS MILLER TO ELI WHITNEY.[2]

Whitmarsh, Sept. 28th, '97.

Dear Whitney,

It is now a very long time since I have had the pleasure of hear from you excepting by the letters of Mr. Nightingale. I know very well from much experience that embarassments debts duns and difficulties present obstacles of the most unpleasant kind to the practice of writing. But I have endeavored to reconcile myself to bear and forbear under the pressure of these evils. It is to be sure a mighty reverse of fortune that we have experienced, and after all our precautions we seem likely to present another example to the discouragement to the use or Patronage of genius in mechanics. A small ground of hope is still left however for our perseverance. If our pride could be made to condescend to make

[1] Russell Goodrich, who subsequently became agent and attorney for Miller and Whitney.

[2] Cover addressed "Eli Whitney, Esq. New Haven Connecticut." Postage 14 cents.

terms with that ignorant low fellow Lyons, and to submit to be shuffled about by the whims of the populace I do not know but it might operate to our pecuniary advantage. They continue to clean great quantities of cotton with Lyon's Gin and sell it advantageously, while the Patent ginned cotton is run down as good for nothing. My best friends have actually advised me to make use of Lyon's improvement as they *universaly* term it, in order to avoid any injury to the staple. Indeed there is so large a portion of the world who are either knaves or fools, that honest and virtuous men are sometimes obliged to move on without assistance in the amount which they give to human affairs. With respect to money and expectations on that subject I am just as formerly, borrowing for current expences without any prospect of making payment excepting by the proceeds of the property of the Estate which I think must suffer heavily under the diversion of its funds which I have already made, in the constantly expected sacrifice of the Carolina estate. I do not even know why it has not been 10% at question.

Pray write me on the subject of my late communication, and also furnish the statements of our accounts. I have a man employed at high wages to bring up them, and other accounts, whom I mean to discharge the instant this is done, and I should be sorry to wait for yours, which we must do within a fortnight from this time, for the Accounts cannot be balanced with any propriety while blanks remain to be filled up. I hear nothing of my bargain with N. Mrs. M. joins in affectionate regards and best respects to your brother with

Your friend and Partner, PHIS. MILLER.

N. B. In taking the titles to the Place which I received on the Partnership account from Durkee, I have as yet let them stand in my name, specifying in my books that they were held in trust, on account of making a legal reconveyance should it be required.

X. ELI WHITNEY TO PHINEAS MILLER.[1]

NEW HAVEN Oct. 7th, 1797.

Dear Miller,

The extreme embarrassments which have been for a long time accumulating upon me are now become so great that it will be impossible for me to struggle against them many days longer. It has required my utmost exersions to *exist* without making the least progress in our business. I have labored hard against the strong current of Disappointments which has been threatening to carry us down the Cataract of distruction, but I have laboured with a shattered oar, and struggled in vain unless some speedy relief is obtained. I am now quite far enough advanced to think seriously of settling in life.[2] I have ever looked forward with pleasure to a connection with an amiable and virtuous companion of the other sex.

[1] Cover addressed to "Phineas Miller, Esq. Savannah, Georgia." Postage 25 cents.

[2] Whitney at the time of this writing was thirty-two years of age. He did not marry until 1817.

It is a source from whence I have expected one day or other to Derive much satisfaction and rational enjoyment. I would not be understood that I have or have ever had any *particular* person in view. Pointed attachments of this kind I have studiously avoided, because I have never been in circumstances that would allow me to enter into such a connection. The situation of our affairs for three or four years past has been such as made it necessary that I should hold myself in readiness free from any embarrassment, to go into forreign Countries for the promotion of our mutual interests. You have yourself several times expressed to me your apprehensions that I should get married and by that means be prevented from prosecuting our business in the way which appeared most advantageous. The accomplishment of my tour to Europe and the realization of something which I can call my own appears to be absolutely necessary, before it will be admissible for me to *even think* of matrimony. Three years have already elapsed since the former of these was to have been begun and in that case it would have been finished before this time. There is a greater prospect that it will be delayed three years longer than there was at that time that it would be delayed till now. Probably a year and a half at least will be required to perform that Tour after it is entered upon. Life is but short at best and six or seven years out of the midst of it is to him who makes it, an immense sacrifice. My most unremitted attention has been devoted to our business. I have sacrificed to it other objects from which, before this time, I certainly might have realized 20 or 30 Thousand Dollars. My whole and sole prospects have entered in it, with an expectation that I should er'e this time have realized something from it. You and Nightingale have formed happy and amiable connections. You have estates, separate from this to which you can look for support. And tho' you are under some temporary embarrassments you are enjoying life. You have devoted no inconsiderable part of your attention to other business since ours was undertaken. After all these considerations, can you think it strange that I should be desirous of realizing something, or at least of making such arrangements in the disposition of a part of our concern to Nightingale as will enable me to realize something by and by?[1] Can you be surprised if I am unwilling to put our business on such a footing as shall oblige me to pay my whole attention to it for seven years to come without a prospect of realizing anything from it till the expiration of that time? Of what value is property to me without any prospect of enjoying it? It is better not to live than to live as I have for the last three years past. Toil anxiety and disappointment have broken me down. My situation makes me perfectly miserable. Yet my ideas of the utility of the invention and the emoluments of our business (if rightly pursued) are not in the least abated.

[1] Whitney's desire was that on a sale of a part of the interest of the firm of Miller and Whitney he himself should retain a portion of the proceeds of such sale as his private property. "The involved state of the company concerns was such that Mr. Miller would not consent." Olmsted, *Memoir of Eli Whitney, Esq.*, p. 26.

You may perhaps conclude from what I have said above that I am in a foolish teaze to get married, but you can readily conceive that a person who has no idea of marrying immediately, might be very unwilling to enter into obligations or put it out of his power ever to marry. If this letter should appear incoherent and foolish my circumstances will be some apology for me. I address it to you as a friend and a man of candor. I am willing to do anything in my power to promote your happiness at the sametime I cannot be indifferent to my own. I am too much confused and perplexed to write any particulars of our concerns. Arrangements with Nightingale remain just as they were when he left you. Instead of his helping me to money I have been obliged to let him have some tho' it was a mere trifle but ten Dollars is more to me than 300 was two years ago. I had rather be out of Debt and out of business without a shilling than be in a situation half so much embarrassed as my present one. I could write another sheet but it would add to your expences without giving you any satisfaction. With best regards to Mrs. Miller and wishing that we may all see happier Days I am

Your friend and partner,

ELI WHITNEY.

XI. ELI WHITNEY TO JOSIAH STEBBINS.[1]

COLUMBIA S. CAROLINA

Dcem 20th 1801.

Dear Stebbins,

I have been at this place little more than two weeks attending the Legislature. They closed their sessions at 10 oClock last evening. A few hours previous to their breaking up they voted fifty thousand Dollars to purchase my patent right to the Machine for Cleaning Cotton, 20 Thousand of which is to be paid in hand and the remainder in three annual payments of 10 thousand Dollars each. This is selling the right at a great sacrifice. If a regular course of Law had been pursued, from two to three hundred thousand Dollars would undoubtedly have been recovered. The use of the machine here is amazingly extensive and the value of it beyond all calculation. It may without exaggeration be said to have raised the value of seven eights of all the three Southern States from 50 to 100 pr. Cent. We get but a song for it, in comparison with the worth of the thing, but it is securing something. It will enable M and W to pay all their Debts and divide something between them. It established a precedent which will be valuable as it respects our collections in other States and I think there is now a fair prospect that I shall in the event realize property enough from the invention to render me comfortable and in some measure independent. Tho' my stay here has been short I have become acquainted with a considerable part of the Legislature and most distinguished characters in the State.

[1] Cover addressed "Josiah Stebbins Esquire, Post Master, New Milford, Maine Dis^{t}. Massachusetts." Postage 25 cents. Josiah Stebbins, subsequently Judge Stebbins of Maine, was a classmate of Whitney's in Yale College, and a life-long friend of the inventor.

Our old school mate H. D. Ward is one of the Senate. He ranks among the first of his age in point of talents and respectability. Is married, has a handsome property and practice in his profession. He has shown me much polite attention as have also many other of the Citizens. I wish I had time to write you more frequently and more lengthily. I go to Georgia for which place I shall start tomorrow. With best regards to Laura I am &c

ELI WHITNEY.

J. Stebbins Esq.

XII. ELI WHITNEY TO CHARLES COTESWORTH PINCKNEY.[1]

RALEIGH NO. CAROLINA Decmr. 8th, 1802.

Sir,

I have been this moment informed by the Honourable Mr. Rutledge that some of the citizens of South Carolina are dissatisfied with regard the purchase of our Patent right to the saw Gin, by that State. Feeling a conscious rectitude on my part in everything which relates to the whole transaction from beginning to end, it is with extreme regret and mortification that I am by any one accused with any omission or neglect. I understand from Mr. Rutledge it is alledged that we have not delivered according to agreement the two models refunded such monies and obligations as we or our agents had recd. for Licenses to use machines. It will be observed that by the act of the Legislature Relative to the purchase no time is mentioned in which these stipulations are to be performed. It was my understand thro' the whole negotiations at Columbia and I supposed it to have be the understanding of the Legislature that we should refund said monies and obligations to those individuals of whom we received them, and I had no expectation of any other mode till I went to Charleston, some weeks after the sitting of the Assembly for the purpose of delivering our title deed to the comtroller. I had been informed by Mr. Miller and by our agent Mr. Goodrich, that two Hundred Dollars which had been received from yourself, was all the cash which had been recd. from any citizen or citizens of So. Carolina for any license. This money it was my intention to have repaid to you immediately on the receipt of my first payment from the Comptroller. But when I came to converse with the Comptroller it appeared that it was his understanding that the sd. monies and obligations were to be delivered over to him for the use of the state and he required of me an obligation that they should be delivered to him by the first of September next ensuing, and which Mr. Miller pledged himself to me he would do and it ought to have been performed and is a neglect of duty on the part of Mr. Miller, and we are bound to make good any injury which this neglect may have occasioned. As to the Models I believe it has been the understanding of the Gentle-

[1] This letter is from a copy in Eli Whitney's handwriting of a letter sent by Whitney to Pinckney by post. Whitney was introduced to General Pinckney by letter furnished him by Gov. Oliver Wolcott of Connecticut on the occasion of his visit to South Carolina for the purpose of selling his patent right to that State. Pinckney seems to have aided him somewhat in accomplishing this purpose.

men at the time, that I should furnish them as soon as my previous engagements would allow me an opportunity to make them. It was proposed that I should engage to deliver them previous to the [next] session of your legislature. I declined stipulating to furnish them at so early a period observing it was doubtful whether it would be in my power to perform it, that I was desirous those models should be constructed in the best manner, and contain some improvements which have never yet come into general use; that in this case I should have no other alternative but to make the models myself, there being now no machine in existence after which I could employ workmen to copy; that by a previous undertaking I was pledged to the government of the United States and could not consent to engage to do a thing which I might not have it my power to perform. Mr. Hamilton, the Comptroller will I presume recollect this to be the import of a conversation which passed between him and myself at the time we engaged to deliver to him the monies and obligations which we had recd. from individuals and that from these considerations I declined engaging to deliver the Models within the time in which the other stipulation was to be performed, and it will be observed that the engagements which I have entered into with the Comptroller does not require the Models to be delivered at the same time the monies are to be refunded. I always have intended and do still intend to improve the earliest possible opportunity to compleat these models in the best manner of which I am capable and I shall undoubtedly have it in my power to do it and deliver them before another session of the Legislature. If I could have purchased them for money at any price that should have been furnished before this time. I might perhaps have furnish models which would have exonerated me from this part of the contract, not to have furnished the best which I conceive could be made I apprehend would have been improper. I have certainly been actuated by the best of motives and if I have done wrong I must say I am not sensible wherein.

Permit me to ask the favor that you would speak to the Comptroller on the subject and name the circumstances to any Gentlemen who may feel any dissatisfaction. I would come to Columbia before the rising of your Legislature if it were possible, but it will not be in my power. By the Direction of the Secy. [of War] I go from this in a few days to the site fixed upon by the General Government for the establishment of a manufactory of arms upon the Cataba River in your State. This armoury is to be erected by and carried on at the expense of the U. States. The object of my visit to that place is only to advise with Coln S[?] as to taking out the water, locating the buildings &c. I shall not be there more than a week or ten days and return direct to Connecticut. I shall immediately after my return proceed on in making the models for So. Carolina the materials for which I began to collect six months ago. Assure the citizens of South Carolina that I entertain the most zealous and cordial disposition to put them in full possession of every possible improvement on that invention from which they have already derived such immense advantages.

Pardon the liberty which I have taken of addressing you on this occasion and believe me with

Sentiments of high Respect
Yr very Obdt Servt

ELI WHITNEY.

The Hon. Charles C. Pinckney, Esq.

XIII. PHINEAS MILLER TO PAUL HAMILTON, COMPTROLLER OF SOUTH CAROLINA.[1]

CUMBERLAND ISLAND, Jany. 19th, 1803.[2]

Sir,

Your favor of the 3d Nov. last came to my hands at the moment of my departure for the upper Country, from which I have but lately returned. The sensations of Surprise to which your letter gave rise, and the perfect astonishment produced by the extraordinary proceedings of the Legislature of your State, were too great to allow me to comment upon, until a moment of leisure should arrive, and even now I am at a loss what to think of a decision so new in any kind of public proceedings. I acknowledge as a favor the explanation of the motives which induced you to adopt the measure which has terminated in so much injury and injustice because the explanations appear to be candid, and I presume the same candour will be exercised towards the comments to which your observations have given rise. And as a very large sum of money to individuals on the one part and the faith and justice of your State on the other are implicated by your official conduct I flatter myself you will indulge me in making a full statement of this important case, from which it will the more clearly appear whether the opinions I have adopted or those I have to controvert, are the best founded in principle and justice. With this indulgence I will then proceed to observe—

That in the fall of 1792 Mr. Eli Whitney whose Mechanical talents have since acquired him so much celebrity, first came to this State. The culture of the Green Seed Cotton had then just commenced as a Crop in the Upper Country, and two or three Million of pounds of this article in the seed, had been raised and picked in from the field, but for the want of a suitable Gin but a small part of it had been prepared for Market. In this situation of things as Mr. Whitneys uncommon talents began to be known he was urgently and repeatedly importuned to turn his attention to the discovery of Some new method of seperating this kind of Cotton from the Seed and thereby preserving an invalueable staple to the Southern States. To this he at first objected on account of the great expence and trouble which always attended the introduction of a new invention, and the difficulty of enforcing a Law in favour of Patentees in opposition to the individual interest of so large a number of Persons as would be concerned in the culture of this article. To which it was urged that justice might be obtained in the Federal Courts at all events

[1] From a copy of the original signed by Mr. Miller.

[2] Mr. Miller died before the expiration of this year.

in the Seaport Towns, and that in case of complete success the gratitude of the country towards so distinguished a benefactor would certainly be sufficient to bear down the small number of selfish and interested Men who should be willing to defraud him of his right; and being fully convinced myself of the correctness of their opinions I joined with those who entreated Mr. Whitney to turn his attention to this important object— but as he still seemed doubtful of the propriety of giving up the persuit of a lucrative profession for which he had been destined to throw himself on the gratitude of a country or even on the support of a Law which was untried in effect I superadded the inducement of offering to become his joint adventurer in the attempt, and to be at the whole expence of maturing the invention until it should be Patented, with which offer and the united entreaty of all our friends, he at length with much reluctance complied, and soon afterwards with a great display of original Talent perfected the invention. The principle of which consists in the use of Teeth to work between passages or divisions of a breast work too narrow to give passage to the seeds and of a Brush to detach the cotton from the Teeth. Among the various modes which at once occured to his mind of constructing these teeth for use, one was to cut them on a plate which should work perpendicular or horizontal rectilinear motion like a saw. Another was to cut the teeth on circular plates of Iron which should work in the manner like the present Gin used in the Upper Country. Of the last of these methods he made a partial trial by the construction of several Machines, but rejected it as inexpedient for common use, from the danger of doing an injury to the Staple of the Cotton, as such plates whenever they should come in contact with the sides of the breast work would cut such part of the Staple of the Cotton as should intervene, and their unyielding firmness would also force through the Breast work any bunches or lumps of the cotton which by damp weather, or foul particles, should have a tendency to clog the Machine. On these and some other accounts he prefered a less degree of dispatch accompanied as he believed with other superior advantages in the use of wire Teeth set in wood, to work through a Breast work of composition mettle, in the construction of which more ingenuity has been displayed than in any other part of the Machine. And among all those Mechanics who have claimed merit for their ingenuity in executing clumsy models of his invention no one as I can learn has attempted such a Breastwork. It was soon found however on experience that the teeth cut in circular plates could be made by an ordinary Smith, and the Machine be put together by a common Carpenter which would execute more work in a day than the best Machines with the improved breastwork constructed with wire Teeth, and a little injury more or less done to the Staple of the Cotton could not well be discovered until it should arrive at the Manufactory in Europe, and then it would be too late to comment on the mode of Ginning. If any credit be due to any one for introducing into common use this particular variation in the Saw Gin and thereby contributing to deprive the Patentees of the immediate profit of their invention to the ingenuity of Mr. William Longstreet

of Augusta, who conversed with me fully on the subject of the invention soon after it was brought into use, and whose candour as well as Mechanical Talents is too great to allow him to claim any merit or reward for opposing the prevailing opinion of the inventor in this particular. The original invention when constructed in either of these ways was an acknowledged improvement in the mode of freeing Cotton from the Seed, which saved at least nine tenths parts of the labour consumed in any process of the kind heretofore known. If the whole labour therefore of cleaning out a crop of Green Seed Cotton by rollers were fairly computed nine parts of this would, by law, be the property of the Patentees of the new invention, but as no planter would be at the trouble to bring into use the property of another without benefiting himself, a fair and equal division of this profit between the planter and inventor would be just and reasonable as regarded both the parties, and experiments have fully shown that the whole saving in this process effected by the introduction of teeth, instead of Rollers, is at the lowest estimation equal to one-fifth part of the whole Cotton so cleaned, and this estimation is indeed so low that before time was allowed to introduce the invention into the Upper Country it was common for the Planters to Waggon their cotton in seed one hundred and fifty Miles, and then give a fourth part to have it cleaned in this manner, and as I wish to be quite within bounds in continuing an estimation of this kind, I will suppose that the state of South Carolina have raised and cleaned out with the Patent Machinery including the present crop as much as Ten Million pounds clean cotton and that this has been worth to them an average of at least Sixteen Cents per lb., and as one fifth part of this is a nett gain by the Patent invention, it follows that the planters of that state have thus already gained an actual profit of at least Three Hundred Thousand Dollars by this important invention independent of the various advantages of extending through the Country a culture which must otherwise have remained confined to a few individuals. It is also probable that in the Six years of the Patent yet unexpired, the State will raise and clean out at least Ten Millions more of this species of Cotton which will superadd the further sum of Three Hundred Thousand Dollars to the profit of the invention. The one half of which two sums being the sum of three hundred thousand dollars would by every principle of Law and justice rightfully belong to the Patentees, but as this would accrue annually during the term of fourteen years it would be but reasonable that a Legislature which would assume the payments at short periods, should receive an abatement in the price. It was consequently Stated to the members of the Legislature of your State that the sum of Two Hundred Thousand Dollars would be just about the sum that a full acknowledgement and sanction on their part, of the rights of Law and the principles of justice would require them to give; and on the part of the Patentees it was a sum with which their reasonable expectations ought to be satisfied. At the sametime, it was well known that the original apprehensions of Mr. Whitney had been more than realised by the opposition to the Patent Law which had already taken place in this

State. That a Governor[1] in his communication to the Legislature had endeavored to arrange the popular passions and prejudices (already stimulated by motives of interest), on the side of this opposition; and that the Patentees were in great danger of finding the principles of Law and justice too feeble a barier against such a tide of popular opinion; especially where the jury would oftentimes be interested in the result of their own decisions. Under these discouraging appearances the Patentees would have been very well satisfied to have given up to the Legislature the one half of the real value which they ought to have received for this property, and had flattered themselves that a sense of dignity and justice on the part of that honorable body would not have countenced an offer of a less Sum than One Hundred Thousand Dollars. Finding themselves however to be mistaken in this opinion, and entertaining a belief that the failure of such negotiation after it had commenced, would have a tendency to diminish the prospect already doubtful, of enforcing the Patent Law, it was concluded to be best under existing circumstances to accept the very inadequate sum of Fifty Thousand Dols. offered by the Legislature and thereby relinquish and entirely abandon three fourths of the actual value of the property. In closing the bargain for this amount, it is true that Mr. Whitney agreed to two conditions, which you mention, the one of which bound the Patentees to the return of the Notes of money received from individuals for the Sale of Licences, the other to the construction of two Models of the Machine by Mr. Whitney. In respect to the first of these conditions it is admitted to have been uncomplied with at the time stipulated by the Patentees for which the following reasons are offered—In the first place I had supposed that the money and specialties would have been returned to the Persons from whom they were received respectively, but at all events it was expected that Mr. Russell Goodrich the special agent of the Patentees would have attended to the fulfilment of this stipulation, but unfortunately he went a Journey into the State of Tennessee and to the Natches, where he was detained by indisposition and other unexpected events until the time had elapsed for the payment. This failure then being admitted, it only follows to ascertain the amount to which the legal or equitable forfeiture of the Patentees could fairly extend. In respect to the notes, no possible injury could arise to the drawers or to the state of So. Carolina by their detention. Since timely information was furnished that they were kept in safety and would certainly be given up. In respect to the money they detained, the amount is exactly $580, and inasmuch as the extraordinary measures of your Legislature were about taking place at the arrival of Mr. Goodrich, his journey has been delayed by some subordinate circumstances so that he will probably have the honor to wait on you with this money about the first of next month which will extend the detention to five months, the interest of which for this period of time amounts

[1] Governor James Jackson, of Georgia, who had recommended in his message to the legislature that they either pay moderate compensation to Miller and Whitney for their patent right, or else suppress the patent.

to a little short of Twenty Dollars, and this sum very small and trifling as it is, is all that a court of law or equity would allow for the failure of a similar engagement between individuals, and it can hardly be supposed that the State of So. Carolina would avail itself of the power of State Sovereignty to make a greater exaction. But if the amount of 20 % per an. were required the damages would extend to no more than $50 which never would have been made a source of complaint by the Patentees.

In respect to the second condition of the contract, I have just received a letter from Mr. Whitney who expressly says that he did not stipulate to deliver the Models by the first of Sep., but on the contrary that he refused to be bound by such a condition but that he expected to make them as soon as the pressure of his other business would allow, hence it appears in respect to this part of the contract that a verbal misunderstanding took place between yourself and Mr. Whitney, and that he has never believed any failure to have taken place on his part. But even admitting that your recollection of the conversation that passed between you and him was correct, and that he had been actually bound by such a mutual understanding to have the Models delivered by the first of Septem., what then would have been the damage accruing from a failure of this engagement? The citizens of the State of So. Carolina are already in complete possession of the principle of the invention together with the opinion of Mr. Whitney as well as that of Mr. Longstreet and others, as to the most expedient method of using it, and a net profit appears to have been made from it hitherto of not less than Three Hundred Thousand Dols. What then could have been fairly expected from an inspection of these two Models? Nothing more surely than a more neat and handsome method of constructing a well known machine, on a principle which has been in use for eight year than could be expected from the mechanics who are in the habit of constructing those kind of machines in the upper Country. But if the State of So. Carolina purchase an invention for the sum of Fifty Thousand Dollars which is worth at least Six Hundred Thousand, and are disappointed as to one fourteenth part of the time of the right of such purchase, in being shown how to construct the Machines depending on such invention, in a better manner than those in common use; how much will indemnify them for their supposed loss? If the citizens of that state had altogether been debarred from the use of the invention for the fourteenth part of the time for which it had been purchased, the proportion of loss might be easily calculated. But instead of having suffered any injury to this amount, it will appear I presume on examination that the Citizens of So. Carolina have made a net profit out of the use of the invention the last season of at least fifty Thousand dollars. Under these circumstances it is really matter of great surprise that it ever could have been supposed the purchase was made at a high price, or that the subsequent neglect of the Patentees could be thought of adequate importance to justify the detention of the purchase money. But much more is it the subject of astonishment that the Legislature of a State could not only proceed to sanction such a measure, but to pass

a resolution as I am informed they have done, directing a detention of the whole Balance of money due the Patentees, and ordering a suit to be commenced for what has been already paid and that an expost facto measure of this magnitude in violation of an absolute contract and of a ruinous effect to the individuals who have furnished the Citizens of that State with an invention whereby they have been enriched by Millions for a cause so very unimportant. That is to say, for the damages of Twenty dollars in money, and the doubtful construction of the word *reasonable* as to which the Comptroller of the State and one of the Patentees have misunderstood each other, and which second amount of damage could not possibly have amounted to anything more than the loss of some small improvement in the invention for the term of one year.

But it has been privately reported and in a manner to gain belief, that the representations of a man by the name of Hodgen Holmes acquired so much credit with the legislature as to form a part of the secret ground of their proceeding. If this be true, the circumstance is not calculated to lessen my astonishment, that a Legislature should form themselves into a court of equity on the subject of their own contract, and in this capacity not only to listen to accusations against the other contracting parties, but to accuse and condemn them without a hearing. It is at all times difficult to meet accusations which are ex parte however false and groundless they may be. But I will take the liberty to State a few facts relating to this Hodgen Holmes which may serve to show how much confidence ought to have been placed on his representations.

Sometime after the Patent Machines of Miller and Whitney had been in use, this man availing himself of an examination of these machines and of some plates of Iron which had been cut into teeth for a similar Machine by an another Person[1] at Augusta, proceeded to construct a clumsey Modal of the Machine already Patented And as no discretion is lodged with the Secretary of State in the execution of this trust, a Patent was issued to him on the Attestation which he ventured to forward with his Modal. The palpable imposition of this surreptitious encroachment on our right was so apparent as to induce us at first to take no measures to procure a legal interdiction to his pretentions, but having at length discovered that he was likely to be used as a tool to injure us without benefit to himself we caused an action to be instituted to set aside his Patent, which was determined against him on demurer by the Judge of the district Court at the last November term from which he did not appeal. During the pending of the action, he became satisfied with his improper encroachment on our right and offered to give up his surreptitious Patent, to pay the expences of the Action, and to give us the sum of two hundred Dollars for the use of a machine if we would withdraw the suit, to which we agreed and now hold his Notes for Two Hundred Dollars in part of his compliance with the agreement. But afterwards on his refusing to pay the expences of the suit it was continued and terminated as before mentioned. And it was after this pretention of his

[1] Perhaps this other person was Col. Bull.

had been Legally set aside, that he was advised to go to the Legislature of So. Carolina to see what could be don against Miller and Whitney. I had been previously informed that a certain popular character in this state[1] had boasted of his power to cause the contract for the purchase of the Patent in So. Carolina to be set aside, and I must acknowledge that the apparent gasconade and absurdity of such a threat left no kind of apprehension on my mind, merely because it was the State of So. Carolina instead of Georgia in which the comptrolling power was lodged.

Among the other sources of injury to the credit if not to the right of this discovery, I have lately heard that the pretentions of a Mr. Lyon have again been revived. We had supposed that his vanity and weakness on this subject had ceased to engage the attention of any man of sense. It is within our power easily to prove his Mechanical labour was subject to the direction of a much wiser head than his own ; it is also been said that the vanity of some other country Mechanics has prompted them to claim a part of the credit if not the right of the invention. Some other unfounded reports are also said to have gone into circulation bringing into question the originality of the invention on the part of Mr. Whitney.[2] But if a property of this importance and magnitude which ought at least to be as much under the guardianship of the Laws, as any real estate, is to be held at the mercy of every popular report, fallacious indeed is the encouragement held out by Government for improvements in the arts.

You will please to excuse the prolixity into which I have been insensibly led in the preceeding observations, and if the expressions of my feelings should appear to be too free of restraint I must trust to your liberality to take into view the peculiarity of my situation, and to consider it as no common injury to be thus suddenly deprived of so large an amount of property which the labour of eight years and a large sum of money have been expended in securing. And at the same time you will accept my assurance that no intentional offence would ever willingly be offered, either to your official or private capacity by your respectful

and obe. servt.

PHINS. MILLER.

XIV. ELI WHITNEY TO JOSIAH STEBBINS.[3]

WASHINGTON CITY, 6th March 1803.

Dear Stebbins,

I cannot now tell what, from whence, or when, I wrote you last. I have been here three weeks, and am now laying up to regain the health of which the severity of this winter's tour has deprived me. I am thus far

[1] Possibly this reference is also to Gov. James Jackson.

[2] Immigrants to the United States from Ireland and England asserted that in the flax and cotton factories of those countries they had seen machines similar to Whitney's gin, which were used for preparing these textile materials for manufacturing purposes. Dr. Cortes Pedro Dampiere also testified before a committee of the South Carolina legislature that he had seen in Switzerland a machine similar to Whitney's which was used for picking rags to make lint and paper. Olmstead, *Memoir of Eli Whitney, Esq.*, p. 32.

[3] Cover addressed "Josiah Stebbens Esquire Post Master New Millford Destrict Maine. *Mail.*" Postage 25 cents.

on my return from So. Carolina and hope in three or four days to be able to proceed on to Connecticut. The weather this season has been constantly and suddenly changing from one extreme to the other, which has rendered this journey very tedious and fatiguing. I had some business to negotiate here which I have been so fortunate as to accomplish entirely to my own satisfaction. My contract to manufacture 10,000 stands of Arms was really a very arduous undertaking. There is yet much to be done to compleat it. I have hitherto gone on no faster than I could go safe. It has been an important object with me to persuade the administration to allow me so much time to go on easy with it till it is compleat. This they have done. I have obtained all the time I wished. This has relieved me from a vast load of anxiety which any one must naturally feel when their all is in the power of those in whom they have not the most perfect confidence. Besides this will allow me leasure to attend to my Patent concerns to which I find my personal attention to be of the first importance. Nothing has been effected in the business but what I have done myself and I am well persuaded that no person or persons would have effected anything had I been absent. The cotton machine is a thing of unusual value and by pushing hard I hope to realize something for it. The cotton cleaned annually with that machine sells for at least five Million of Dollars and the annual worth of the invention is equal to at least one fifth of that sum ; but so large a proportion of mankind are such infernal Rascals that I shall never be able to realize but a trifling proportion of its value. You know I always believed in the "*Depravity of human nature.*" I thought I was long ago sufficiently "grounded and stablished" in this Doctrine. But God Almighty is continually pouring down catarracts of testimony upon me to convince me of this fact. "Lord I believe, help thou," not "mine unbelief," but me to overcome the rascality of mankind.

I have seen our old friend H. D. Ward this winter. He lost his wife and his own health last summer, is emaciated, looks old and is very gray. Expects to visit Mass. next summer. Has made a handsome fortune and is a respectable man in that country.

With Love and friendship, of which let Laura and the little ones come in for a liberal share, with an adieu and God Bless you, I close for this evening.

ELI WHITNEY.

J. Stebbins, Esq.

XV. ELI WHITNEY TO JOSIAH STEBBINS.[1]

WASHINGTON CITY, 7th March 1803.

Dear Stebbins,

When I returned from Georgia the first time, in the year 1793, you were at N. Haven and remained there for sometime afterwards. We were in the habit of communicating freely with each other upon every subject which occupied any part of our attention, especially

[1] Cover addressed "Josiah Stebbins Esquire Post Master New Milford District of Maine." Postage 25 cents.

whatever related in any wise to my invention of the Cotton Gin. Did I not in the course of that year or year following, tell that my original Idea was to make a whole row of teeth of one piece of metal?—to make them out of sheet Iron? That I had recourse to *wire* to make the teeth from necessity, not being able to procure sheet Iron or sheets of tined plates—that one of the Miss Greens had broug out a coile of iron wire to make a bird cage and being embarrassed for want of sheet iron and seeing this wire hang in the parlour it struck me that I could make teeth with that? Several Patents have been issued for machines on my principle. One of the patentees claims as his invention the making the rows teeth of sheet iron instead wire. The fact is he was told that was my original Idea and my machine was particularly described to him, even by drawings of every part. It is also a very plain fact that the principle is the same in whatever way the teeth are made and that they may be made in a vast variety of ways. We commenced a suit against this man to have his Patent vacated. After a tedious course of litigation and Delay we obtained a judgment on the ground that the principle was the same and that his patent was surreptitious. His Patent was vacated and Declared to be void. He came forward and paid up the costs and purchased a License of us to use the machine for which he had pretended to get a Patent, and we now hold his note given for that licence. By some neglect of the Judge or mistake of the Clerk in entering the Judgement, upon a new Democratic District Judge being appointed he found means to revive the cause. After another series of delays and his own Judge was obliged to give judgment against him, still these designing rascals who pretend to hold up his claim and make a handle of it to our disadvantage and although I have no idea that any court can be so abandoned as to take any serious notice of it, yet I should like to obtain such testimony as will shew it to be my invention and thereby put a compleat stopper on that business. We have already one positive witness of the fact, the first person to whom the Machine was shewn,[1] (beside Miller's family,) which was in the spring of '93.

It appears to me that I have mentioned this circumstance to a number of those with whom I was intimate at that time. I wish you to be so good write me soon and inform me if you recollect anything of this kind to which you can testify. A whole country of ignorant unprincipled people who have been long irritated and mislead by designing Demigogus and deeply *interested* in invalidating my claim will go almost any length to accomplish their purpose. If taking my life would have done away this claim, I should have had a Rifle Ball thro' me long before this time. Write to me as soon as you *can*, and as often as you *can*, and in the mean time and at all times and forever may you be happy.

E. Whitney.

J. Stebbins, Esq.

[1] Probably Nathaniel Pendleton.

XVI. ELI WHITNEY TO JOSIAH STEBBINS.[1]

New Haven 15th Oct. 1803.

Dear Stebbins,

The fates have decreed that I shall be perpetually on the wing and wild goose like spend my summers in the North and at the approach of winter shape my course for the Regions of the South. But I am an unfortunate goose. Instead of sublimely touring thro' the aerial regions with a select corps of faithful companions, I must solely wade thro' the mud and dirt a solitary traveller.

While on my tour the last winter I wrote you several letters to several of which I have recd. no answer. I wrote you a letter from the City of Washington almost a year since in which I gave you some account of Thos. Paine. I feel a little anxious lest this letter may have miscarried. I wrote you also last spring from Savannah (if I recollect rightly) requesting some information relative to my invention of the cotton machine. I should be gratified to know whether you recd. these letters or not.

I shall start from here in ten Days for So. Carolina in order to be there at the meeting of the Legislature of that State and expect to return in January or February. A multiplicity of avocations has prevented my writing you for some time past and it has been so long delayed that I fear I shall not be able to get an answer from you before I commence my Jorney.

I have still a host of the most unprincipled scoundrels to combat in the Southern States. I have not now leisure to go into detail but I want to enquire of you if you cannot give your deposition to the following import (viz).

I, Jos. Stebbins &c &c ——

Do testify and declare that I have been intimately acquainted with Eli Whitney, originally of Massachusetts but now of New Haven in the state of Connecticut, for more than fourteen years. That the said Whitney communicated to me his discovery and invention of a Machine for cleaning Cotton from its seed by means of teeth passing between bars or ribs of a part which he called a breast work, more than six months before he obtained a patent for said invention.[2] That I saw sd. Whitney almost every day thro' the summer and autumn of the year of 1793, at which time I was a resident Graduate in Yale College. That we had many and frequent conversations on the subject of Mechanics and Natural Philosophy in general and particularly with reference to his sd. invention. That I transcribed his specifications or description of sd. machine several times and that he confered with me relative to the various parts of sd. Description. And I well remember that sd. Whitney repeatedly told me that he originally contemplated making a whole row of teeth from one plate or piece of metal such as tin plate or sheet Iron and that he afterwards had recourse to wires to make the teeth from necessity, not having it in his power at that time to procure either tin or Sheet iron in Georgia.

[1] Cover addressed "Josiah Stebbins Esquire Post Master New Milford District of Maine." Franked by Whitney.

[2] I obtained my patent 14th March 1794.

That in the first Draft of his Specification he had mentioned sheet iron as a material out of which the teeth might be made but we concluded it was wholly unnecessary as it did in no way affect the principle of the Machine being only one of a great variety of methods in which the teeth might be made and it was struck out. I also recollect that the said Whitney previous to writing a Description of his Invention had contemplated a variety of methods of making each of the several parts of the Machine but it was thought to be wholly immaterial that they should be mentioned in the Description—&c &c.

I hope you will be able to call to mind the circumstances mentioned above, not that they would be of any importance with an enlightened upright Judge. The circumstance of making the teeth of sheet iron is really of no account as it regards the Principle and my Right; but as that is the method in which the trespassers make the machines, they lay great stress upon it, and if I can but prove the truth about it, it will stop their mouth on this subject. I have a set of the most Depraved villians to combat and I might almost as well go to *Hell* in search of *Happiness* as apply to a Georgia-Court for Justice.

I fear that I have delayed writing to you so long that I cannot get an answer from you before I leave this, which will be as early as the 25th of this month. But I would thank you to loose no time in writing to me and Direct to me at Columbia South Carolina—whatever your recollection will enable you to testify to, relative to the early history of my Invention. I wish you to forward to me a Deposition signed and sworn to. I am sensible such a Deposition will not be recd. in a court of Law, there being no Commission taken out to take the testimony but it will be very useful to me in some important arrangements which I wish to make. I hope it will be convenient for you to write me soon after you receive this as any delay will deprive me of any benefit which I may derive from your Deposition.

I shall not make any considerable Stop before I reach Columbia in So. Carolina which place I do not now expect to leave before the 20th of December. Write me as much and as often as you *can*. I shall have more leasure to write you while traveling than I have had the summer past and you may expect to hear from me occasionally.

My armoury here has got to be a regular Establishment and progresses tollerably well, and I flatter myself I shall make something handsome by the undertaking. My works have considerably excited the Public Curiousity and are visited by most People who travel thro' this country, this however is not so flattering to my vanity that I do not wish to be less thronged with Spectators. It would really give much sincere pleasure and satisfaction to see you here and shew you what I have been doing for three or four years past. Can you not visit us next summer?

With best and most affectionate regards to Laura and ardent wishes for your [own] happiness, I am, have been and [shall be]

Your sincere friend,

E. Whitney.

Josiah Stebbins, Esq.

XVII. NATHANIEL PENDLETON TO CHARLES COTESWORTH PINCKNEY.[1]

New York, Novemb. 1, 1804.

Dear General,

Mr. Whitney informs me that the State of South Carolina had agreed to give the proprietors of a Cotton gin, invented by him and for which he has a Patent, a sum of money for the use of it for that State, and that the Legislature have since directed that the money should not be paid which remained due, and that a suit be instituted to recover back what has been paid upon a suggestion that he was not the inventor of the machine.

Having been one of the first persons who saw his machine when it was first put in Motion he has thought my declaration may be of some use to him. It was in the Spring of 1793, at Mulberry Grove, and in the house where the machine appeared to have been made was a wire machine and other instruments which Mr. Whitney informed me he had used. I had no doubt then, nor have I any now that Mr. Whitney was the inventor of that machine during the preceeding winter. Soon afterwards a machine house was put up at Mulberry Grove by Mr. Phineas Miller, and several of those machines worked in it by Cattle, which I frequently saw. I am well acquainted with Mr. Whitney and believe him to be a man of integrity, and of extensive and useful mechanical powers. His machinery at New Haven for making muskets has been represented to me as a prodigy of skill and accuracy. Any services you may have it in your power to render him, I think you will find to have been justly merited.

I am, Dear General, with great Esteem and Affection

Your Obedient Hble. Srvt

General Pinckney. NATH. PENDLETON.

XVIII. ELI WHITNEY TO JOSIAH STEBBINS.[2]

South Carolina 9th Feb. 1805.

My Dear Stebbins,

I left New Haven about the 25th Oct. last. I made no considerable Stop till I arrived at Columbia in this State; where I staid about four weeks. From thence I went to the city of Charleston, where I spent three weeks. From thence to Savannah in Georgia where I passed one week, and am now on my return, 95 miles from Savannah and 28 miles from Orangeburg, the residence of our old friend H. D. Ward whom I hope to have the Pleasure of taking by the hand to-morrow. I shall proceed directly on by the way of Camden to Rocky Mount upon the Great Falls of the Cataba River where I shall spend two or three days return to,

[1] Cover addressed "Major General Pinckney South Carolina, favor of Mr. Whitney." Major Pendleton was one of the planters whose conversation at the home of Mrs. Greene first gave Whitney the idea of inventing a cotton gin. Olmsted, *Memoir of Eli Whitney, Esq.*, p. 13.

[2] Cover addressed "Josiah Stebbins, Esquire, Postmaster, New Milford, District of Maine, Massachusetts Mail, Orangeburgh, February 14." Franked by Whitney.

Camden and from thence make the best of my way back to Connecticut, as fast as the season of the year and the state of the roads will permit. I have traveled the rounds thus far and expect to finish my tour by Land and with the same set of horses with which I started. You will perhaps recollect that three years ago I sold my Patent Right to the State of So. Carolina, that soon afterwards, much like Children and much more like rogues, they refused to make the stipulated payments. The principal object of my present excursion to this Country was to get this business set right; which I have so far effected as to induce the Legislature of this State to recind all their former *Suspending Laws* and *resolutions*, to *agree once more* to pay the sum of 30,000 Dollars which was due and make the necessary appropriations for that purpose. I have as yet however obtained but a small part of this payment. The residue is promised me in July next. Thus you see my *recompense* of *reward* is as the land of Canaan was to the Jews, resting a long while in *promise*. If the Nations with whom I have to contend are not as numerous as those opposed to the Israelites, they are certainly much greater *Heathens*, having their hearts hardened and their understanding blinded, to make, propagate and believe all manner of lies. Verily, Stebbins, I have had much vexation of spirit in this business. I shall spend forty thousand dollars to obtain thirty, and it will all end in vanity at last. A contract had been made with the State of Tennessee which now hangs *suspended*. Two attempts have been made to induce the State of No. Carolina to *recind* their *Contract*, neither of which have succeeded. Thus you see Brother Steb. Sovreign and Independent States warped by *interest* will be *rogues* and misled by Demagogues will be *fools*. They have spent much time, *money* and *Credit*, to avoid giving me a small compensation, for that which to them is worth millions.

I have had less leisure to write you this winter than heretofore, tho' not fewer good wishes for your health and happiness. Impart a double portion of my affectionate regards to Laura and her little ones and be assured that I remain

Yr unaltered and unalterable friend

E. Whitney.

J. Stebbins, Esq.

Philip and Alexander of Macedon. Two Essays in Biography. By David G. Hogarth, Fellow of Magdalen College, Oxford. (New York: Charles Scribner's Sons. 1897. Pp. xiv, 312.)

It is safe to say that no school-boy or college student ever reads the orations of Cicero and Demosthenes without mental reservations in favor of Catiline and Philip. The oratory is more or less dimly felt to disguise the truth. Neither of the great victims of the oratory can now get his side of the case fairly before us, because literary and historical tradition are so exclusively hostile. This is especially true in the case of Philip of Macedon. Leaving out of view the tantalizing fragments of Theopompus, we are compelled to see Philip through Athenian, or at least philo-Athenian, eyes. And Chæroneia drowned the voices of all Athenian Philippizers, even those of Isocrates and Phocion, so that Athenian eyes look only hatred. In Philip's case, then, the task of the biographer is to rescue character and career from the distortions of a tradition which is at best scanty, and which is prevailingly hostile. Even the outlines of portions of Philip's career must be conjecture, and the reasonably sure outlines of other periods must be filled in by cautious inference and combination. Correction of material given and supplementary suggestion where material of tradition fails must both characterize a good biography of Philip of Macedon, but constructive criticism must be more largely employed.

Far different is the task of the biographer of Alexander of Macedon, so different as to call for an entirely new balance of powers. Tradition, in the case of Alexander, has an overwhelming magnitude and scope. It is also, in the main, adulatory. Romantic invention has multiplied details which were before superabundant. There is little call, then, for supplementary conjecture in giving detail to meagre outlines, or in furnishing the outlines themselves. The colossal figure of the world-conqueror must rather be stripped of nebulous accretions and restored to something like human proportions. The miracles of his career must be rationalized. For this task destructive rather than constructive criticism must be more largely employed.

It would be only natural that a historian who attempted both these tasks should perform them unevenly. Mr. Hogarth's *Philip* is far superior to his *Alexander*, and meets a want more keenly felt. "Philip," as the author says, "supplies the central figure to no extant biography; Alexander has inspired a whole literature." Philip was great not merely "for what it was given him to do," but also for what he was. He crushed Greek autonomy, but substituted for the degenerate city-state the

grander ideal of a national power. "Reading the lesson of his times, and marking the proved inferiority of citizen militia to standing forces, and of the capricious rule of the many to an imperial system under a single head, he evolved the first European Power in the modern sense of the word—an armed nation with a common ideal" (p. 3). This thesis Mr. Hogarth admirably sustains. Of course, the anachronistic conceptions of the Athens which opposed Philip have to be corrected, and here the boldness and vigor of the author's views especially appear. It is no easy thing for the critical historian to make headway against the unreasoning and indiscriminate exaltation of everything Greek, because Greek, which the enthusiasm of a cultured age, conscious of its enormous indebtedness to Greece, has long fostered. "As it had been given to Thucydides to exalt a series of raids into a great national war, so the transcendent oratory of Demosthenes has led historians to invest his opposition to Philip with an importance of which assuredly Philip was not aware" (p. 82). This sentence is one of many showing how sturdily the author has cast aside the perverting influence of an incomparable literature on the historical judgment. The political and military decay of Athens at the time of her conflict with Philip is strongly portrayed. The tenderness which Philip evinced towards Athens, "exalting her as the one inviolate queen of civilization" (p. 100), was not due to fear. "Rather to Philip's honor let it be recorded, as to the honor of any warrior-statesman, that sword in hand he paid homage to the arts of peace. And not less be it recorded to the honor of Athens that she did not accept his homage" (ib.). Occasionally the author does less than justice to the dilatory city-state. It is a cruelty to brave citizen-soldiers to sum up their conduct on a battle-field where three thousand of them were killed or taken, with the contemptuous words: "The Athenians ran, Demosthenes with the rest, and the supreme effort of Greece was spent" (p. 129). But such injustice is rare, and usually rhetorical. Sometimes too much weight is given to an unsupported statement of Plutarch or a late compiler; sometimes, when "the fact itself is more worthy of credit than the authority for it," too much confidence is felt in constructed details, but in general the handling of sources is scientific and scholarly. It would be easy to speak of many striking features of the essay, such as the clear apprehension of the relation of slavery to the different materials for an army afforded by Athens and Macedon (pp. 18, 151); the sharp differentiation of the Theban character with its oriental traits (pp. 28 ff., 34), but space will not allow.

Mr. Hogarth's *Alexander*, while filling no such gap in biography as his *Philip*, brings into clearer light than ever before the son's inheritance from the father, the son's gradual emancipation of himself from all Macedonian inheritances, as soon as they were felt to be restrictions, and his rational and logical assumption of Oriental imperialism. No decadence or depreciation in the powers of the conquerer during the last years of his life is to be granted, but rather an enlargement of ideas, consequent upon the enlargement of his task, which necessarily brought with it emanci-

pating conflicts with all the old Macedonian limitations. These were necessarily cruel, but "the conquest of Persia had been forgotten in the conquest of the Earth." On the whole the biography is defensive of Alexander, but it strikes the happy mean between the fulsomeness of earlier histories and the severities of reactionary criticism. The conqueror and destroyer was yet a far-sighted builder. "To Alexander commerce and Hellenism were means, not ends, means indeed far from clearly grasped or understood; but in so far as he did grasp and understand them, his is the glory to all time of having applied on a great scale for whatever end the greatest influences for peace in the world of his day" (p. 192). Fresh and vigorous is the treatment of Alexander's visit to the oracle of Ammon. It was not the inception of a great policy, but was designed to "test a romantic belief which he owed to Homer, and in diverse ways to both his parents" (p. 198). But the founder of the Macedonian Empire did not seriously think of his own divinity. His empire was an achievement of human genius, the genius of one incomparable man. The universal empire which followed his was a "system independent of the life of an individual."

The death of Hephæstion left the great soul of Alexander "in such a solitude as has seldom been the doom even of kings." Alexander did not live long enough to have his grief assuaged, or to resume with the old ardor his plans for universal conquest and order. "Having the greatest powers, he set up the greatest aims consistent with his day, and pursued them greatly. Philip lives hardly outside the world of scholars. The son is still a master to all masters in war, and his type has been chosen by Art for the Hero" (p. 282).

Mr. Hogarth's book is admirably printed, beautifully illustrated, and well indexed. An appendix discusses ably certain chronological questions of Alexander's reign, and the author's familiarity with the technical questions of Alexander's military organization is shown throughout the book.

B. Perrin.

Domesday Book and Beyond. Three Essays in the Early History of England. By Frederick William Maitland, LL.D. (Cambridge: University Press; Boston: Little, Brown and Co. 1897. Pp. xiii, 527.)

The world of scholars has long since learned to greet a new book from Professor Maitland's pen as marking an epoch in the subject of which it treats, and the work before us only serves to confirm and deepen the impression already made. Although *Domesday Book and Beyond* was planned as a first volume to *The History of English Law*, its publication has been deferred for various reasons. But the delay has not been without its advantages, for it has enabled the author to make use of Mr. Round's discoveries in Domesday Book and of Dr. Meitzen's conclusions regarding early Teutonic settlements; and the reader who by this time

has become familiar with the law of the Anglo-Norman period to pass to the more obscure law of Domesday and the Saxon era with his eyes accustomed, as Professor Maitland puts it, to the twilight before going out into the night.

The essays which make up this volume, "Domesday Book," "England before the Conquest" and "The Hide" are in a sense more epochal than anything that Professor Maitland has hitherto published, because they concern a field of study where controversy has hotly raged, where documents are difficult to interpret, as is the case with Domesday Book itself, or are few, obscure and of uncertain value, where ideas are indefinite and fluid, and where preconceived opinions are almost certain to bias the judgment. Professor Maitland has not been content to exploit certain parts of his subject; he has endeavored to interpret every important document beginning with Domesday Book and reaching back to the dooms of Aethelberht and the Burghal Hidage. That he has done this without disturbing at any important point the faith of the reader in the justness of his conclusions is due not only to our confidence in his learning, his unrivalled power of interpretation, and almost unlimited capacity for work, but also to his moderateness and caution in the expressal of any opinion even where the evidence is most conclusive. It is not too much to say that for the first time Domesday as a whole stands revealed, not fully, indeed, for there is still great work to be done, but in its most essential features; that almost for the first time the *terra incognita* of Saxon times has been triangulated and its boundaries ascertained. Not that all Professor Maitland's solutions are final—far from it, some will be called in question, nay, are already under attack, for Mr. Round and Mr. Stevenson have even now entered the lists—but certain is it that each and every one of them will have to be reckoned with by all who study this period in the future. And in the meantime some—and those important ones—will get themselves firmly established, for Professor Maitland is a very convincing writer.

It is manifestly impossible in a short review to give a *résumé* of a work that fairly bristles with important conclusions. There does not seem to be any single underlying purpose running through the essays except that of accurate historical reconstruction, yet I think that the conclusion which will interest and affect the largest number of readers is the denial of a "manorial system" before the twelfth and thirteenth centuries. This sets the manorial current running in the opposite direction from that given to it by Mr. Seebohm in his theory of the village community, and by Professor Ashley in his introduction to Fustel de Coulanges' *Origin of Property in Land.* Professor Maitland rejects without hesitation any proposal to connect the English manor with the Roman villa, to fill the England of Bede's day with Continental lordships, to make the seigniorial element Roman in origin, and to place the mass of the Saxon people in serfdom. He is willing to admit an occasional villa and a few servile villagers, but holds to an unqualified belief in the original freedom of the ceorls. He sees at the beginning of Anglo-Saxon history village com-

munities with open fields, Germanic in origin, peopled by free landowning ceorls and their slaves; he holds to the depression of this free class through the growth of seigniorial power and the increasing weight of the feudal edifice; and he discusses at considerable length the forces that subjected the peasantry to seigniorial justice, substituted the manor for the free village, and transformed the free men of the sixth and seventh centuries into the semi-free of Domesday Book and into the villeins of the thirteenth century.

But if this were all, Professor Maitland might well be classed with those who consider Anglo-Saxon England to have been a land of self-governing communities, a paradise of yeomen. This is not all. The imaginative historian who still links with the term "village community" ideas of personal freedom, communal ownership of land, political representation, town meetings and courts of justice will find little to comfort him in this book. He will find, it is true, free village communities both in Saxon times and the days of William the Conqueror, but he will find them shorn of those attributes that democratic enthusiasm has accredited to them. He will see an agrarian, not a political community, with no village assembly or court, unrecognized by law because possessing no organization of which the state can make use and therefore having no place in the body politic; he will see its freedom to be the freedom of its members toward lords to whom they have commended themselves, a freedom consisting of rights and privileges and exemptions everywhere varying in amount; he will see its communalism to be either individual ownership or at least co-ownership; its right of representation a thing undreamed of, a strange anachronism. Following on in the history he will find a number of free vills in Domesday, but still without political consequence, without a court, apparently without a headman or reeve, occupied by sokemen and *liberi homines*, each the man of a lord, though still subject, it may be, to the jurisdiction of the hundred court, bound together by no other than an agrarian tie. Strangely enough, he will find that it is the subject community of the eleventh, twelfth and thirteenth centuries that is acquiring political dignity, its reeve and four men summoned by the Domesday commissioners to the inquest, itself utilized by the Norman kings as a unit of assessment, burdened by the state with police functions, and by the lord with the obligation to acquit him of doing suit at the hundred and county courts. He will find that so-called "representation" had at first a "real" character, as indeed Professor Maitland had already pointed out in the *History of English Law*, I. 599–600, and was in fact an obligation resting on vills discharged by the lord or his steward or by the reeve and four men, and not a right possessed or exercised by individuals as such.

According to the views here presented it is hard to see how the village community can be said to have possessed any political importance before the thirteenth century. This means that the hundred was the original unit of local government and that the vill was nothing except so far as the law recognized and used it in certain administrative matters.

Such a conclusion is likely to chill the ardor of those who look on the local self-government of the New England town as an institutional retrogression, a kind of revival of a fundamental Anglo-Saxon institution, and to curtail somewhat the description of the village community given in the pages of Green and Freeman.

I have said nothing of some of the most important of Professor Maitland's conclusions; of his subtle analyses of sake and soke, in which he distinguishes between the profits of justice and the holding of courts, carrying seigniorial jurisdiction back to the seventh century but deeming the *halimôt* a novelty even in Domesday Book; of his definition of the Domesday manor as the house against which geld was charged; of his view of the Norman Conquest as the red line dividing into two parts the legal and economic history of medieval England; of his theory of the origin of the borough in the "burh" or fortress, a theory contrary to the opinion of many modern economists who place the economic stage before the military. I have said nothing of the heterogeneity of tenure in the boroughs and the vills that play so important a part in Professor Maitland's argument against a manorial "system;" nothing of his argument for the large hide as the unit of measure, of his laborious calculations based on Domesday statistics, of his criticism of documents and his comments on the opinions of others. But I must leave this all unsaid.

One word in conclusion. No part of this book is more useful and suggestive than that which treats of the ideas of primitive peoples. Professor Maitland shows that men were not thinking much about those things that concern us to-day—freedom, ownership, citizenship, elections, representation, corporations, courts, judicial procedure, and exact measures of land, but that they were concerned with the consequences of personal relationship, rights of occupation, of superiority, of privilege, of justice, rights to receive dues, payments, wites, fines and the like, as well as to be exempt from them. When the student seizes holds of this distinction, and learns that fixed and simple ideas were not characteristic of simple people in early times, and that Anglo-Saxon institutions were not necessarily germinant with all that is best and most important among the ideas of the present age, he will be saved from many erroneous conclusions that have been far too prevalent here in democratic America.

CHARLES M. ANDREWS.

The Latin Kingdom of Jerusalem, 1099 to 1291 A. D. By Lieut. Col. C. R. CONDER, LL.D. (London: The Palestine Exploration Fund. 1897. Pp. viii, 443.)

THERE are so few books in English treating of the Crusades that the appearance of a new one on this subject by a writer already well known for his work in other fields will be noted with interest. After writing a number of books dealing with the earliest history of Syria and Palestine, Lieut.-Col. Conder has now turned his attention to the story of the Latin Kingdom of Jerusalem. His object has been, as he himself states in his

preface, "not so much to relate the history of the Crusades as to present a picture of the curious social conditions which resulted from the establishment of a feudal society amid Oriental surroundings, and to trace the growth of civilization and prosperity during the two centuries of Latin rule." It remains for us to ascertain how far the author has succeeded in this object.

We may get an idea of the thoroughness of an author's preparation by learning what works he has consulted. In view of this the list of anthorities given is disappointing. It is true that reference is made in the body of the book to several works not quoted in this list, but, even with these, the list lacks the titles of a number of books which no man wishing to make a thorough study of the period under review could safely neglect. What these works are will readily occur to any one familiar with the subject. It may, however, be noted here that, with the exception of Röhricht's *Regesta Regni Hierosolymitani*, not a single modern work edited or written by a German is cited. When to this is added the fact that no mention is made of Dodu's valuable work, and of Derenbourg's *Ousama ibn Munkidh* (not to particularize further) it will be evident that the author's preliminary studies were far from exhaustive.

The work is divided into twelve chapters, entitled, respectively, Peter the Hermit, The March to Antioch, The Founding of the Kingdom, The Growth of the Kingdom, The Loss of the Kingdom, The Frank Life in Palestine, The Native Life in Palestine, The Third Crusade, The Thirteenth Century Franks, St. Louis, The Tartars, The Loss of Acre. A conclusion occupies the last fifteen pages of the text.

Lieut.-Col. Conder has spent so much time in Syria, and has studied the land so thoroughly that the geographical information in this volume is unusually full and fresh, and many of the descriptions of places and scenes are extremely vivid. The account of the life of the Franks and the natives in Palestine is interestingly written and will be enjoyed by many who do not care to go into the subject more thoroughly. In the political history the details are in the main correctly given, but the important ones are not sufficiently distinguished from the unimportant, and the historical perspective suffers. Taken as a whole the work is one for the general reader rather than for the specialist, who will find in it comparatively little that is unfamiliar to him.

In a work dealing with so extended a period and touching on so many controverted points it was inevitable that some errors should creep in, and some views be advanced which would not meet with general acceptance. It will be impossible in our limited space to call attention to more than a few points where issue will be taken with the author. Peter the Hermit is represented as having been in Jerusalem *before* the First Crusade. On p. 23 the writer speaks of "two hundred thousand fighting men together, under experienced leaders." Such large numbers are open to suspicion, to say the least. Alexius was undoubtedly crafty, but it seems unfair to speak of him as weak (p. 28). Kugler's views may well be compared with the statement (p. 29) that

"none of the princes of Italy or Lorraine ever did homage or acknowledged Alexius as suzerain." King Amaury (p. 129) died in 1173, before, not after, Nureddin. The battle of the Zab, which resulted in the final overthrow of the Omeyyad Dynasty (p. 225) was not fought till 750; and Hasan, son of Aly, reigned in 661. Many will be inclined to look upon the author's estimate of Richard himself and of what he accomplished in Palestine as much too favorable. On p. 381 mention might well have been made of the Egyptian "caliphs," who kept up the tradition of the caliphate until the title was passed over to the Osmanlis.

The index of the work under consideration occupies about fourteen pages, but could be extended with advantage. It is by no means a complete register of persons, places, etc., mentioned in the body of the work, and the arrangement is not in all respects a happy one. For example, if one wants to find what is said about Frederic II., he must look under the heading German Emperors. It is to be hoped that in another edition the index may be improved.

Two maps, one of Syria about 1180 A. D., and one of Western Palestine, 1189, showing the Latin fiefs, are a valuable addition to the work.

The work, like all those published by the Palestine Exploration Fund, is well printed on excellent paper and forms an attractive volume.

J. R. Jewett.

Cromwell's Place in History. Founded on Six Lectures delivered in the University of Oxford. By Samuel Rawson Gardiner, D.C.L., Ford's Lecturer in English History, 1896. (London, New York and Bombay: Longmans, Green and Co. 1897. Pp. vi, 120.)

The conclusion to which Mr. Gardiner seems to come in this very able and deeply interesting series of lectures is that the work of Cromwell was mainly negative.

"What, then, is Cromwell's place in history? If we regard the course of the two centuries which followed his death, it looks as if all that need be said might be summed up in a few words. His negative work lasted, his positive work vanished away. His constitutions perished with him, his Puritanism descended from the proud position to which he had raised it, his peace with the Dutch Republic was followed by two wars with the United Provinces, his alliance with the French monarchy only led to a succession of wars with France lasting into the nineteenth century. All that lasted was the support given by him to maritime enterprise, and in that he followed the tradition of the governments preceding him" (pp. 112, 113).

So it was. But how would it have been had Cromwell left an able son, or had the army chiefs seen and followed their own interest instead of cutting their own throats? Mazarin apparently looked upon the Protectorate as established and Monk seems to have thought that Richard, if he would follow good advice, might hold his own. Booth's Royalist rising was put down with the greatest ease. The counter-revolution after

all was not against the Protectorate, but against the military anarchy which followed its overthrow.

Mr. Gardiner's definition of negation is surely somewhat wide. It includes victories as negations of victory on the other side. Our information about this period, especially as regards the Protectorate, is meagre and uncertain, even when gathered and sifted by the admirable industry of Mr. Gardiner. Yet can we doubt that Cromwell was the great force and the ruling spirit? The resultant of the political forces which had been brought into play on both sides was the Revolution of 1688. Did not Cromwell go for something more than a power of negation in that settlement? We should have been glad to know William's opinion of the Protector.

"It is beginning," says Mr. Gardiner, "to be realized that many if not all the experiments of the Commonwealth were premature anticipations of the legislation of the nineteenth century." This is the point. The sun of a government for the whole people broke for a moment out of the lingering clouds of medieval privilege. The clouds soon gathered round it again, and the reign of privilege returned with its court, its aristocracy, its Anglican hierarchy, its Test and Corporation Acts, its Eldonian Chancery, its life-long imprisonment for debt, its press-gang, its corn-laws, its hundred and sixty capital punishments for the crimes of the poor. Yet the sun had shone. Mr. Gardiner calls Cromwell the typical Englishman. He was rather the typical New Englishman, somewhat out of place in Old England and decidedly before his time. His statue, which Westminster refuses, ought to stand at Washington or Boston if the Irish would let it. His place is in general, as much as in English, history.

The constitution embodied in the Instrument of Government never got a fair trial, because the men who had been elected under the Protector's writ refused to acknowledge the legality of his power and drove him to an arbitrary rule for which, Mr. Gardiner allows, he had no predilection, and from which he was always struggling to get back to constitutional government. They had been fighting for political republicanism; he for religious Puritanism, not for political revolution. The Instrument of Government cannot be discussed here, otherwise we might have something to say for it against the system of cabinet government which Mr. Gardiner, as we gather from some expressions in his great work, regards as the grand solution, but which after temporary success due to special circumstances in England is now generally in a state of apparent dilapidation.

Dependence on the army was Cromwell's weakness, as Mr. Gardiner has very forcibly shown. Military rule was hateful in itself to a nation unaccustomed to standing armies, and was financially ruinous. The necessity would have diminished in proportion as the government took root, and it may be doubted whether the burden of military and naval expenditure was practically greater than it was in the time of William or Anne. Nor was there anything in the nature of things to prevent the debt being funded under Cromwell as it was afterwards under William. That the

discipline of the army was excellent adverse witnesses attest, and if there was government by the sword, there was no sabre sway.

Mr. Gardiner no doubt touches the weak point of the Protectorate in his criticism of its foreign policy. Did Cromwell, like Napoleon, seek, through military glory abroad, to secure political peace at home? If he did, he deserves a measure of the same condemnation. But war was more normal in those days than it is in ours. Spain was still the Apollyon, and by her exclusion of all nations from South American lands and seas afforded a standing cause of war. Still more manifestly was a standing cause of war afforded by the pirate states of Barbary. Of the pitch of power and glory to which Cromwell raised the country on the morrow of a civil war, or of the impression which he personally made on Europe, there can be no doubt. He did not, in Mr. Gardiner's judgment, succeed in making his army popular. Yet Pepys tells us that amidst the disgraces of the Restoration the people thought of Cromwell. Blake and the fleet may have been more popular than the army. About all this we shall hope to learn more from the coming volume of Mr. Gardiner's great work.

"Cromwell," says Mr. Gardiner, "was a soldier before he was a statesman." But, unlike Napoleon, he was a politician and an associate of the greatest politicians before he was a soldier. Religion was his leading object, as Mr. Gardiner rightly holds. The assumption of Protestant leadership in Europe, however, Mr. Gardiner pronounces out of date, the treaty of Westphalia having settled the religious question on the principle that religion was a local affair. *Cujus est regio, ejus est religio.* Yet the treaty of Westphalia did not prevent the Duke of Savoy from slaughtering the Vaudois, the French government from harassing the Huguenots, or Spain from burning all the heretics on whom she could lay her hands. It did not prevent, after this time, Louis XIV. from revoking the Edict of Nantes, from conspiring with the Stuarts to crush Protestantism in England, or from assailing Holland as a Protestant power.

For what followed, the Restoration, not Cromwell, was responsible. Neither he nor any heir of his policy would have sold England to France and thus helped Louis XIV. to ascendancy in Europe.

No one can suppose that it was in Cromwell's power to establish religious liberty and equality. His policy of comprehension went as far as was practicable at the time. Mr. Gardiner seems to think that the measure of toleration extended to Anglicanism was too scanty. But Evelyn does not seem to have had much ground for complaint. At a time of Royalist conspiracy the screw was tightened. Anglicanism was not only, perhaps not even principally, a church; it was, like Roman Catholicism, a political organization and the deadly foe of the Commonwealth and Protector. To liberal Episcopalianism Cromwell showed in the case of Ussher that he was no enemy. Milton is a pretty good witness to Cromwell's regard for liberty of opinion.

It is not very clear on what ground Mr. Gardiner condemns Crom-

well's policy with respect to Scotland. He seems to think that Cromwell was ignorant of that country. Yet Cromwell's eyes must have been constantly turned that way by the relations of his party with the Scotch. He had fought beside a Scotch army, he visited Scotland after Preston, and learned all that Argyle could tell him. He seems to have been perfectly well disposed, not of course to the Royalist party in Scotland, but to all the Scotch of whom friends could be made. Why were Dunbar and Worcester so inexpiable? Scotland brought them on herself; Dunbar by proclaiming Charles II. king not only of Scotland, but of the English Commonwealth; Worcester by invading England. Having conquered Scotland, what did Cromwell and the Council of State do with her? Did they treat her as a conquered country? They grasped the opportunity of effecting that incorporating union which all great statesmen, including Bacon and William III., have earnestly desired, which it is to the glory of the ministers of Anne to have finally brought about, and over which every one now rejoices, with the possible exception of a few fanciful persons who by flattering separation on antiquarian grounds show that the study of history does not always make a statesman. Nor does it seem that in the manner of making the Union any needless want of respect to Scotch sensibility was shown. Incorporating union necessarily put an end to the separate nationality of both parties. Mr. Gardiner's research has enabled us to form a better opinion of the provisional government which Cromwell extended to Scotland by the hand of Monk. It seems to have been very good. The heritable jurisdictions were swept away; equal law and upright tribunals, to the great disgust of the privileged and of jobbers, were introduced; order and civilization began to be extended to the Highlands, which had been fastnesses of barbarism and robbery; conscience was partly relieved from the yoke of intolerant Presbyterianism; and witch-burning ceased. Scotch religion was unmolested, though the General Assembly with its political tendencies could not safely be allowed to meet. Free trade with England brought wealth. Burnet, a Scotchman, testifies that those years were reckoned by the Scotch a time of great prosperity. For all but the aristocracy and extreme theocrats they must have been about the best years that Scotland had known. Upon the fall of the Protectorate, Scotland became again a satrapy governed, under the last Stuarts, by jobbery, thumb-screws, and dragonnades, while she was thrown back into poverty by loss of free trade with England.

In Ireland there had been a long, most hideous and most heart-rending struggle for the land between two races, of which the weaker in numbers was the stronger in everything else, and had prevailed. Cromwell could no more have given back the land to the Celt than a British commander could now give back New Zealand to the Maori. Concession was made doubly impossible by the memory of the massacre. Cromwell gave Ireland peace, law, and an advance in material prosperity which Clerendon describes in glowing terms, and which lasted in some measure through the Restoration till James II. set the hell-fire blazing again.

He gave her a good governor in his son Henry. He gave her the union, which brought both her races under imperial control, and opened to her that free trade with England for which, when it was withdrawn, she long pined. He gave the Catholics freedom of conscience, though not liberty of celebrating the mass. Both Mr. Gardiner and Mr. Lecky seem to find fault with him for want of true statesmanship in not having developed Celtic nationality on its traditional lines. But no Celtic nationality had ever existed, nor were there any traditional lines on which development would have been possible. The Celtic race was the débris of broken clans. It had never been politically united or shown any tendency to found a commonwealth. Its intertribal wars had gone on even when England was waging war upon the whole of it. May not the Celt's best chance have been political and industrial subordination under the protection of imperial power from which he would have risen in time to the level of the dominant race?

It is Mr. Gardiner's general tendency to pare down. This is better than exaggeration, but may possibly in its turn be carried too far. Mr. Gardiner has so pared down the differences of parties at the opening of the Revolution that there scarcely seems enough left to fight about. He pares down Cromwell, and the Cromwell of Carlyle will no doubt bear considerable pruning; yet if there had not been a very great man, there would not have been the Cromwell of Carlyle.

GOLDWIN SMITH.

La Torture aux Pays-Bas Autrichiens pendant le XVIII^e^ Siècle. Étude Historique par EUGÈNE HUBERT, Professeur à l' Université de Liége. (Bruxelles: J. Lebègue et Cie. 1897. Pp. 176.)

IN the humanitarian movement of the present century, which has interposed such obstacles to the prompt punishment of crime, and has frequently evoked such diseased sentimentalism in favor of criminals, it is difficult for us to realize the arbitrary methods in vogue up to comparatively recent times. If there are any, however, whose impatience of the dilatory proceedings of the criminal law and the frequent escape of the guilty lead them to look back with regret on the sterner processes of former centuries, a perusal of Professor Hubert's work will disabuse them. It is the result of a laborious search among the records, local and general, of Belgium, and is a contribution of scientific value to the history of criminal jurisprudence. It shows that no matter what safeguards and limitations were theoretically prescribed for the administration of torture they were rendered necessarily nugatory by the discretion allowed to the judge in the inquisitorial process which had become universal in the criminal courts of the Continent.

Thus in theory torture could be administered but once, but the device was invented of "continuing" it in place of repeating it. Besides, confession under torture was valueless unless subsequently confirmed out-

side of the torture-chamber, but, if the victim then revoked it as having been extorted by his agony, he was forthwith tortured again. According to the books, this could only be repeated thrice, but judges zealous for conviction were accustomed to carry it on indefinitely. Theoretically, an hour was the prescribed limit of duration, but when, in 1768, Prince Kaunitz called the attention of Count Cobenzl to the excessive abuse of torture, saying that he had heard of it being applied continuously for forty and forty-three hours, Cobenzl carelessly replied that he had seen it used for nearly a hundred. It was a universal rule that its severity should not endanger life or limb, but a man who was hung in the strappado for six or eight hours at a time was at the least crippled for life. If he fainted from the extremity of pain he was resuscitated and the torture was resumed. In Austria there were cases of arms torn off, of legs crushed and of persons so permanently disabled that the government was obliged to pension them. Cases were not rare in which death resulted. There was one such in Brussels, in 1757, after a man had been tortured four times, one of which was for twenty-four hours. In 1774, at Liége, two prisoners died simultaneously, one of whom had endured the strappado for six hours on one occasion and for over eight hours on another, while the other victim had been exposed to the boot for twelve hours. The ferocity with which the earnest seekers after justice disregarded all limitations is exhibited in a case which M. Hubert relates at length from the original record. In 1792, at Antwerp, Philip Mertens was accused of a double murder. The chief evidence against him was that he had some connection with a band of robbers in Guelderland; but their conviction and denunciation of him as an accomplice had been obtained by excessive torture and they had died asserting their innocence to the last. On July 3, 1792, the unfortunate man was tortured for over four hours, when he confessed. As he subsequently retracted he was tortured again on July 5th, when, at the end of an hour and a half, he fainted and remained insensible for three hours and a half, at the expiration of which the torture was resumed until he again confessed after enduring it for two hours and a half. The next day he retracted and on August 9th he was again tortured for nearly fourteen hours, or till he confessed, followed the next day by a retraction. An appeal which he interjected postponed further proceedings until October 29th. By this time he was paralyzed and reduced to pitiable weakness; his power of endurance was diminished and he confessed after an hour. As he retracted the next day, he was tortured again on the 31st, and this time nineteen minutes sufficed to bring a confession, which was retracted as before. A long interval was allowed to elapse, until July 25, 1793, when he was brought forward again. His resolution was now entirely exhausted and he confessed without torture, so on September 23d his persevering judges had the satisfaction of breaking him on the wheel.

The Austrian provinces of the Low Countries clung to the use of torture with remarkable tenacity. The liberal tendencies of Joseph II. made him earnestly desirous of abolishing it, but the political situation

rendered arbitrary action injudicious, and the consent of the provinces was deemed indispensable. In 1765 the Austrian government submitted the question to the councils of the several provinces, when with virtual unanimity they were opposed to innovation. Again, in 1771, the Privy Council communicated to them a memoir in favor of abolition drawn up by Fierlant and asked their opinions; it required ten years to get replies from them all, and though there were some dissentient voices, they still desired its maintenance. It had been abolished in Prussia, Austria, Sweden and Russia, without the disastrous results which its advocates had predicted, but still they regarded it as indispensable for the protection of society. At length, in 1784, Joseph II. issued a secret edict forbidding all courts to use torture without obtaining in each case the authorization of the government; the councils of Namur and Flanders protested, but were reduced to silence, and the Privy Council refused all applications made to it, saying that it had adopted the disuse of torture as a principle. Then, on April 3, 1787, appeared the imperial edict for the reform of justice in the Low Countries, of which Article 63 declared the abolition of torture in all courts. The end was not yet, however, The Estates of Brabant protested, the political skies were rapidly becoming tempestuous, and in less than two months, on May 4th, the edict was withdrawn. Yet the policy of the government was so fixed that, in 1789, at the commencement of the troubles, it refused permission to torture persons implicated in the plots against itself. Still, when the attempted revolution was suppressed, in 1790, Leopold II. was obliged to pledge himself to govern according to the privileges in force under Maria Theresa; thus the edict of 1787 remained suppressed and the use of torture continued. The French invasion of 1792 detached the Low Countries for a time from Austria and introduced the French laws, in which all torture had been disused by the decree of October 11, 1789, but the battle of Neerwinden (March 18, 1793) restored the Austrian rule and with it the use of torture, until Jourdan's victory at Fleurus, in 1794, gave the French undisputed possession and torture was definitely abolished.

In a supplementary note M. Hubert discusses with M. Prins the causes of the obstinate resistance to improvement, but neither of them seems to me to recognize the obvious one. The councils of the provinces, largely composed of lawyers, necessarily were guided by the opinions of the judges. These were naturally conservative by training and had been bred in a system which regarded the use of torture as an indispensable method handed down and sanctioned by the wisdom of ages. It possessed also for them the incalculable advantage of a ready solvent for all doubts and all otherwise inscrutable questions. No one can read the records of criminal trials conducted according to the inquisitorial process without recognizing the heavy responsibility which it throws upon the judge and the puzzling enigmas which he is constantly called upon to solve. To the conscientious and the indolent alike, the rack or the strappado afforded a ready resource for the resolution of all such difficulties, and one can readily understand the determined opposition of

judges threatened with the deprivation of this and alarmed at the prospect of being thrown back on the exercise of their unaided judgment and greater or less acuteness of perception, without the relief which the jury system gives to the bench. As the judges, moreover, were required to be present during the application of torture, they became hardened and indifferent to human suffering. How complete was this indifference is evident from the fact (p. 20) that the accounts of the judicial expenses show that the prolonged sessions in the torture-chamber were relieved of their tedium by banquets in which the wine flowed freely.

M. Huberť tells us (p. 13) that he has met with no traces in modern times of the torture of witnesses. Strictly speaking, the *question préalable*, which he fully recognizes (pp. 25–33), wherein the convicted criminal was tortured to discover his accomplices, was the torture of a witness. In the Spanish Inquisition torture *in caput alienum* was a recognized resource in frequent use for the relief of a doubting tribunal.

There are other points which it would be interesting to discuss if space permitted, but it must suffice to say that the work is one which all students of judicial institutions can consult with profit, as it is based on conscientious research and furnished with ample documentary support.

HENRY CHARLES LEA.

La France d'après les Cahiers de 1789. Par EDME CHAMPION. (Paris : Armand Colin et Cie. 1897. Pp. 257.)

FOR the student of the French Revolution, one of the most important books of the year is undoubtedly this work by Champion. Professor Aulard refers to it in the most complimentary manner in the June number of *La Révolution Française*. He says, to quote his own words : "Il nous est bien difficile de louer ici autant que nous le voudrions, le livre de notre collègue, collaborateur et ami. Il nous suffira de l'avoir signalé a nos lecteurs comme l'une des œuvres les plus remarquables de notre littérature historique et comme un instrument de travail très-neuf, très-solide et très-commode."

For a long time Champion has been a careful student of the *cahiers*, and this work is the development of chapters that appeared in earlier works. The numerous articles contributed to *La Révolution Française*, several chapters in his excellent book entitled *Esprit de la Révolution Française* (Paris, 1887), his contribution to the *Histoire Générale*, edited by Lavisse and Rambaud (Vol. VIII., Chap. I., *La France en 1789*, 51 pp.), all laid the foundation for the work published this year. It is clearly, then, not a maiden effort, but the result of long study and of ripe scholarship.

On the title-page of the book appears the following quotation from Mirabeau : "Il n'est personne qui n'avoue que la Nation a été préparée à la Révolution par le sentiment de ses Maux, bien plus que par le progrès des lumières." This sentence, quoted some years before in another work (*Esprit de la Révolution*, p. 59) is, in a certain sense, the thesis

that Champion attempts to defend and develop. The success of his effort is due to the fact that he allows the *cahiers* to speak for themselves.

He does not deceive himself as to the value of the work that he has produced. He declares that "le tableau de la France en 1789 ne pourra être tracé d'une façon complète, définitive, que lorsque nous serons en possession de tous les cahiers, lorsque le texte en aura été publié sans les fautes de toute nature qui défigurent ceux qui sont dans les *Archives Parlementaires*," that all work undertaken in advance must necessarily be "très-imparfait," must be "recommencé un jour, corrigé, remplacé par une image plus fidèle." What he offers, then, is only a sketch, containing certain essential traits. Quoting Malouet, he calls the *cahiers* "le dépôt public et irrécusable de toutes les opinions et des vœux de la France entière," and adds "si Tocqueville et Taine les avaient étudiés comme il faut, ils auraient mieux compris la chute de l'ancien régime."

Two pages of bibliography, dealing with the *cahiers* published up to the present time, and two short chapters on "*La convocation des États-Généraux*" and "*La rédaction des Cahiers*" serve as an introduction to the work. The remaining fourteen chapters, forming the body of the book, deal with the following topics: III. La Constitution; IV. Les Obstacles à l'Unité nationale; V. Les Provinces; VI. La Royauté; VII. Les trois Ordres; VIII. Les Finances; IX. La Justice; X. Les Campagnes et les Droits féodaux; XI. L'Industrie et le Commerce; XII. L'Armée et la Marine; XIII. La Religion et l'Église; XIV. L'Instruction publique; XV. La Douceur de vivre sous Louis XVI.; XVI. L'Esprit des Hommes de '89.

In every chapter the writer demonstrates that a large part of the stock generalizations concerning the France of 1789 rests upon insufficient evidence.

He gives enough space to the question of the convocation of the Estates to show the peculiar interest of the subject and the unsatisfactory manner in which it has been treated. In his chapter on the editing of the *cahiers*, he denies that great importance should be attached to the use of models. It would be impossible to note here the manner in which all of the controverted questions are dealt with by Champion, but undoubtedly the most important parts of the book are his treatment of the attitude of the French toward monarchy and toward religion, the unexpected harmony that existed among the orders in the struggle against absolutism, and the absence of any serious revolutionary plan previous to the assembly of the Estates.

Each assertion is supported by frequent citations from the *cahiers* and by abundant footnotes. The doubt sometimes arises as to the value of certain broad generalizations based upon a limited number of *cahiers*, but the writer did not regard his work as final, and in a certain sense disarms criticism. He certainly has blazed the way for all students of the Revolution who in the future will attempt, through a study of the *cahiers*, to show us what the France of 1789 was like and what changes were demanded at the time by its people.

FRED MORROW FLING.

Napoleone I. e l'Inghilterra; Saggio sulle Origini del Blocco Continentale e sulle sue Conseguenze Economiche. By ALBERTO LUMBROSO. (Rome: Modes e Mendel. 1897. Pp. xvi, 514.)

THIS handsome volume is creditable both as a product of Italian scholarship and of the bookmaker's art in Italy. It is a pity that where paper and print combine with an excellent style to make a readable book, the proof of the abundant English quotations should in so many places have been but indifferently corrected. Otherwise the contents are as satisfactory as their garb. As the title indicates, the book is an essay, but it is an essay in investigation rather than in the discussion of facts and the expression of well-matured convictions. In truth, it would be difficult, after a rapid and superficial perusal, to say that the author has reached any definite positive conclusion but one, to wit, that the Continental System furnished the fuel for the European conflagration in which the Napoleonic power was destroyed. After marshalling the authorities in impressive array he reviews them with singular impartiality and concludes that while, on the one hand, many writers consider the Continental System as pregnant with important economic results, some contending that the effects were prejudicial to France, others that they were beneficent; on the other hand, quite as many and as important historians take a position diametrically opposed and declare that the system had no considerable economic consequences one way or the other. *Adhuc sub judice lis est* is his closing phrase. In other words, the volume belongs primarily to the class of "mémoires pour servir" and ought as such to have high value for the judicial historian; it strives to exemplify neither the "ad narrandum" nor the "ad probandum" theory of writing history. Yet it would be unjust to leave the impression that Lumbroso is merely an indefatigable antiquarian and chronicler, as his works so far published would seem to indicate: in particular his very extended and thorough *Bibliografia ragionata per servire alla Storia dell' Epoca Napoleonica*, of which five parts have already been published, and his equally valuable *Miscellanea Napoleonica*, of which the third series has just been issued. Even in these certain high qualities are apparent. He chooses and edits with judgment; he is fearless and impartial in publishing facts whatever bearing they may have on national pride and accepted national tradition; his short, concise estimates of the authorities are marked by insight and critical acumen. The great contributions to the history of the Napoleonic epoch which are still to be made will almost certainly be drawn from research in public and private collections outside of France, and probably in those which exist in lands over which French influence and power were once exercised. No one can do higher service in this direction than an intelligent Italian with a catholic spirit and a well-trained mind. It is to be hoped, therefore, that Lumbroso will persevere in the path he has marked out for himself.

But beyond all this the careful reader of the volume under consideration will discern between the lines no little capacity for weighing evi-

dence and will discover opinions far more important than the few which are expressed in plain language, finally laying down the book with the feeling that he has been led up by the arrangement of the facts to certain conclusions which the author considers so clear as to require no flat statement. This is in our opinion somewhat of a blemish, even in a collection of documents and excerpts. The material should either be arranged chronologically or else the juxtaposition should be justified. Every writer knows how difficult it is to express himself without stint of language and how often his words convey to others a meaning quite different from that which he intended to express. Life is short and art is long; the reader of historical works, even the expert, has his rights and one of them is a right to the plain statement of the writer's convictions, wherever a conviction is felt and indicated.

The author's method is good. Desiring to study the conflict between Napoleon and England from the economic point of view, he lays down the various definitions of blockade in such a way as to indicate that hereafter no civilized nation can ever declare any port blockaded except when it has the means and the intention to use a sufficient armed sea-power. By inference he utterly rejects the possibility of the pacific blockade, the paper blockade or blockade by cruising. The next chapter is designed to show the state of European politics during the ten years of armed peace from 1783 to 1793, a successful study of the latent germs of discord. The nations were so arrayed at the close of this period that the minor questions of the hour were all included in the comprehensive, vital decision between the claims to supremacy of Great Britain and of France. Either the latter must resign her conquests and be content with her royal frontiers or British power must be annihilated. This position is established by considering the evolution and spread of the new ideas of political economy. The author believes that Turgot's *Reflections* directly influenced Adam Smith and that but for the industrial revolution in Great Britain the latter, who was obscure and uninfluential, would never have had a hearing. He asserts that it was the reflex action of English opinion as determined by English conditions which transformed the attitude of Continental Europe in regard to political economy. British enterprise aimed at nothing less than commercial supremacy. To this portentous fact was due the French prohibitive tariff of 10 Brumaire, An V. How far such a measure was from shocking the most enlightened opinion of the Continent is shown by an analysis of Fichte's Utopia, *Der Geschlossene Handelsstaat*, a treatise which aims to show how antiquated is the notion that men may freely buy and sell wherever they choose in the known world. If European Christendom be a whole, then and then only the globe is but a single great commercial state, otherwise colonies and factories elsewhere are each and all included in the various nationalities to which they belong. Such being the theory of Continental thinkers the statesmen would certainly reduce it to practice in the interests of their various states. Great Britain must forestall them. The French tariff was a sample of what might be expected. Hence in logical sequence

the Orders in Council, the paper blockade of the shores opposite or near the shores of Britain and as a counter-stroke the Berlin and Milan Decrees of Napoleon. It is an interesting coincidence that the ideas of Napoleon, the practical politician, and Fichte, the theoretical speculator, which appear to have had a parallel genesis and evolution, should have found expression almost simultaneously; the methods of publication stand, to be sure, in picturesque contrast.

The non-intercourse acts of the United States are a portion of the same movement, and the author shows how Great Britain, as a consequence of her being shut out from the markets of Europe and North America, used her sea-power to seize the commerce of South America, Spain and the Indies, and how in fact she laid the foundation of her present greatness by the compulsory disregard of her former markets and the subsequent seizure of those which have proved vastly more important throughout the rest of the known world. The fluctuations of prosperity in the British Islands are traced with skill and attributed quite as much to the state of harvests, the existence of war on the Continent and various other causes as to the operations of the Continental System. An interesting account of the workings of "licenses" is also given. As to the effect of the Continental System on France herself the author heaps up facts and opinions, but he seems unable to reach a conclusion.

In considering a special study like this we are bound to note the danger lest author or reader should conclude that the *casus belli* of the epoch was purely economic. It is well to be reminded that economic influences played an important rôle, but for all that the comprehensive reason for the awful cataclysms which followed the French Revolution and the still later upheavals of the Napoleonic period was political in a narrow sense. The absolutist, dynastic concept of the state, so long considered as the only possible one, was endangered by the movement of liberal ideas. Throughout the armed peace the safety of their thrones and the preservation of their dynastic prestige were far more important considerations to George III., to Frederic William, to Francis and the whole race of hereditary monarchs than disinterested consideration for the welfare of their respective peoples. To this day we cannot be absolutely sure in any single instance as to the immediate, concrete, tangible cause of the different wars between 1793 and 1815. It is possible but not likely that in time the archives of other nations may give us these causes; it is the conviction of many who have ransacked the French archives that either the direct statements of Napoleon's motives in the various instances were never written or else that they have been destroyed. The former alternative is probably the true one. Public business is conducted with at least as much personal contact and shrewd secretiveness as are private affairs. The records of a clever merchant mean much to him, but very little to outsiders or successors. It is not, therefore, presumptuous to decide that conclusions based on the present state of knowledge have some validity and that the breaches of the public peace throughout Napoleon's time were due immediately quite as much to his

adversaries as to himself. It was simply his brilliant forehandedness which gave him the appearance of being the aggressor. The wars themselves were terrible and bloody, the waste of human energy was appalling ; but dynastic politics, like slavery or any other shameful anachronism which blocks the development of human society, perishes only in hideous convulsions. The economic question, however insistent and broad, was not the *primum mobile* of the Napoleonic epoch.

By way of illuminating his subject, Lumbroso gives in the second portion of his book a series of monographs on French finances, on smuggling and contraband, on Napoleon's self-justification, and on the effects of the system in Scandinavia, Russia, Holland, Belgium, Germany, Austria, Spain, Italy and America. These are all well done and for the specialist they were worth doing. The substance of the whole matter is that the Orders in Council and the Berlin Decree were alike measures of desperation, influencing the final results of the European struggle little or not at all.

This excellent book concludes with an appendix of original documents which occupy a hundred pages and a very interesting bibliography extending over about forty more. The volume may be recommended to the student with little or no reserve. As was remarked at the beginning, its plan gives it a patchy appearance, and the author would be styled by the general reader a compiler with a passion for *inedita*. But this is after all only appearance, and the *Saggio* is a true historical essay as well as an original contribution to the subject.

Histoire Politique de l'Europe Contemporaine ; Évolution des Partis et des Formes politiques. 1814–1896. Par Ch. Seignobos, Maître de Conférences à la Faculté des Lettres de l'Université de Paris. (Paris : Armand Colin et Cie. 1897. Pp. xii, 800.)

"The greatest obstacle in the way of him who would write the history of the nineteenth century," says Professor Seignobos in his preface, "is the immense number of documents. The strict historical method calls for the direct study of sources. But the life of a man would not suffice—I do not say to study and criticise—but to *read* the official documents of even a single European country. It is, therefore, materially impossible to write a contemporaneous history of Europe in conformity with the principles of the critical method."

Consequently, in order to avoid this difficulty, Professor Seignobos has adopted a course which, though logically more imperfect than the correct method, "is more practical and suffices for the attainment of at least a part of historical truth." As the facts of contemporary political history are exposed in monographs, special works and annuals, all written at first hand, Professor Seignobos considers that abstracts from, and analyses of, the documents contained in these works are reliable enough to dispense one, ordinarily, from the necessity of going to the original sources of information.

The second difficulty encountered, according to Professor Seignobos, by the writer on contemporary history is the impossibility of citing authorities, which is again due to excessive abundance. But he also holds the abandonment of this custom excusable. "The general facts," he says, "stand out so clearly from a perusal of the documents, and are so surely established, that it is necessary only to indicate the works in which the demonstration is made." So this book contains, particularly in the first part, almost no foot-notes. Their place is taken by a bibliography, largely of a critical nature, at the end of each chapter.

In this matter of bibliographies, Professor Seignobos has again had to substitute an expedient for the usual practice. He truly remarks: "A bibliography of contemporary history drawn up according to erudite rules would fill a volume." So he has limited his lists to what is indispensable, mentioning only general bibliographical volumes and histories which refer the reader to works going into details, the principal documentary collections and the best monographs on each question. While all students of contemporary Europe may not always agree with Professor Seignobos' estimates, and may question the right of admission into his lists of certain books and the omission, intentional or otherwise, of certain others, yet, on the whole, no good ground for serious complaint can be found.

"This summary method of reading and citation has obliged me," the preface further says, "to limit my exposition to the general facts of political life, known to all contemporaries and accepted without question. But it is precisely these uncontested facts which form the material for political history. I have not, therefore, tried to establish any disputed fact or to discover any unknown one. It is in bringing together facts general and notorious, but which have been left scattered about, that I think I have reached new conclusions."

In order to keep strictly within the limit thus marked out for himself, Professor Seignobos has almost invariably avoided picturesque descriptions of events, portraits and anecdotes, all of which generally lie without the domain of unquestioned historical material. Accordingly this work, which, as we have already seen, is not of the erudite class, is also perceived, from what has just been said, not to belong to the narrative school. "My aim has been to explain the essential phenomena of the political life of Europe during the nineteenth century," the author says, "by describing the organization of the nations, governments and parties, the political questions which have come up for consideration during the century, and the solution given to them. I have tried to present an *explicative* history." If, as a result, this work is sometimes a little dry and colorless, and often summary and bald, the fault is not so much the author's as that of the requirements of the subject.

Professor Seignobos furthermore says: "Not being able to present a picture of the whole of European civilization, I have purposely confined my attention to political history. I have left at one side all the social phenomena which have no direct action on political life,—art,

science, literature, religion, customs. I have tried especially to explain the formation, composition, tactics and platforms of parties, as being capital factors in the shaping of institutions. My main purpose being to *explain* phenomena by showing how they are linked together, I have admitted into my account such non-political subjects as local administration, the army, the church, education, the press, political speculations and economic questions."

After having thus decided upon the choice of his material, there still remained the difficulty of classing it. Should it be presented in the logical order, which would consist in analyzing the political organization of all European states and then studying the whole question simultaneously in all these states? Or should the preference be given to the chronological order, the favorite method of writers on contemporary history? Or, lastly, should the geographical order be adopted? Professor Seignobos has preferred to employ all three successively and has thus grouped his material under three consecutive heads.

Under the first head, which comprises the bulk of the volume, is considered the home politics of the various European nations. Here the geographical order is followed. Each country is examined separately and in turn, beginning with England, the mother of the political system of modern Europe, followed by France and the rest, and ending with Russia and Turkey, which stand lowest in the scale of political life.

Aside from his natal tongue, Professor Seignobos can read with ease only German and English. His knowledge of Italian is slight and of Spanish still slighter. Thus it is mainly through French and German books that he has been able to study northern, eastern and southern Europe, which necessarily means that he gets his facts at second or third hand. The disadvantages and even dangers of this proceeding need not be pointed out here.

The personal equation is another serious matter in all historical writing and especially in that which has to do with contemporary events. "Political and national impartiality is the capital difficulty of the historian of current affairs," Professor Seignobos truly says. If we take into the account the facts that his personal preferences are for a liberal, laic, democratic and occidental régime, no serious fault can be found, especially by Americans, with his judgments. I have tested him in several very recent happenings in European politics in which he would find it the hardest to shake off personal and national prejudices, and I have always been struck by his fairness, tact and reserve.

The second head, treated according to the logical order, groups together several political phenomena common to different European societies, separating them from the evolution of each people in order to bring out more clearly their general character. Here belong three able chapters devoted to the story of the transformation of the material conditions of political life in Europe during the present century—inventions, new engines of destruction, new means of communication (the telegraph, the railway and the press), etc.—a second chapter given up to the con-

sideration of the Church and the Catholic parties in different parts of Europe, and a third which has to do with the international revolutionary parties.

A republican Frenchman who is, besides, a free-thinker by philosophy and a Protestant by birth, is in a most ticklish position when he ventures to write about the Vatican and its relations with modern European political life. But Professor Seignobos passes through the ordeal with admirable courage. He does not even hesitate to declare that Leo XIII. is not one whit more liberal than Pius IX., but accepts all the doctrines laid down in the famous syllabus, basing his assertion on citations from the former's encyclics. It is only in the field of practical politics that the present pontiff has departed from the line of conduct of his immediate predecessor. Instead of fighting the governments, he negotiates with them; instead of prolonging a conflict, he strives to stop it. But even here, in so far as his relations with the Italian government are concerned, Leo remains as obstinate as Pius.

The third and last portion of this work is occupied with the foreign relations of European nations since the opening of the present century. The chronological order is here observed. "The object kept in view is not," we are told, "to give an account of diplomatic and military operations . . . but to point out what were, during each period, the capital characteristics of the exterior policies of the principal governments and to explain the transformations of the relations between the states, and the distribution of territory and influence."

This division opens with an examination of Europe under the repressive system of Metternich. Then comes a chapter on the influence exerted by Russia and England during the period extending from 1830 to 1854, which is followed by another chapter on the preponderance of France and the wars for national unification, from 1854 to 1870, the whole concluding with a chapter on the political evolution of Europe during the century, which serves as a sort of *résumé* of the volume and of the whole complex subject.

THEODORE STANTON.

The Jesuit Relations and Allied Documents. Travels and explorations of the Jesuit Missionaries in New France, 1610–1791. The Original French, Latin, and Italian Texts, with English Translations and Notes. Edited by REUBEN GOLD THWAITES, Secretary of the State Historical Society of Wisconsin. Vol. IV. Acadia and Quebec, 1616–1629. (Cleveland: The Burrows Brothers. 1897. Pp. 272.)

IN this fourth volume is continued and terminated the narrative of Father Biard concerning the destruction of Saint-Sauveur and Port-Royal in 1613 and what became of the French colonists of those two settlements. Here we have the starting-point of the long series of conflicts relative to the delimitation of territories between the English and French

authorities, a question which may be said to embrace the whole history of Canada until 1760 or even 1763. The kings of France and England made grants of various tracts along the coast, each one trespassing on the pretensions of the other. Delimitation of territories means the privilege of trading with the Indians through a more or less large area of land, and this was of the utmost consequence. Neither of the two antagonists would give up what he considered the main object of a possession in the new world—so that the history of Acadia, Canada, Louisiana, New England, Pennsylvania, etc., was stamped beforehand during the days of 1604–1613, when the sovereigns of the two great nations affixed their seals to the parchments above alluded to.

Father Biard saw all this at a glance, but was not discouraged. He says: "For my part, I consider it a great advantage that we have learned more and more about the nature of these territories and lands, the character of the inhabitants, the means of helping them, the obstacles which are liable to arise against the progress of the work, and the help that must be given to oppose the enemy . . . So, in truth, it is not otherwise that God usually gives us prudence and better management of things, only through various experiences, and for the most part through our own faults, and those of others . . . It is a great result that the French have won the confidence and friendliness of the savages, through the great familiarity and frequent intercourse which they have had with them."

The second half of the volume is filled with letters and communications from Father Charles Lalemant, Jesuit, written at Quebec in 1625–26, when his order was introduced for the first time on the shores of the St. Lawrence. This clever man, a remarkable observer, comes well in the series after Biard; he had also visited Acadia in 1613 and his knowledge of the new missions amongst the Indians helped him greatly in describing the nature of the work required to civilize the country, apart from the conversion of the infidels. He shows the true position of affairs in regard to trade, agriculture, colonization and the learning of so many strange and difficult languages as were to be found in "these vast forests." He already understood that many years would elapse before the French could master the situation and hold their ground at such a distance from the mother country. He squarely advocated the policy of a substantial establishment, to make the natives believe in the ability of the Frenchmen to succeed independently of the scanty resources of charities received occasionally by an annual vessel from France. The population of Quebec—the whole of Canada at that time—was but forty-two souls, and they had "only eighteen or twenty acres cleared at the most." Champlain says that the mercantile companies "had not themselves cleared an arpent and a half of land in the twenty-two years during which they were, according to His Majesty's intention, to have peopled and cultivated the colony." Lalemant adds that the Algonquins "cleared two or three acres where they sow Indian corn, and they have been doing this for only a short time." He saw clearly that there was no future in such a system.

He is much interested in the prospect of a fruitful mission amongst the Hurons of Upper Canada, a sedentary nation much ahead of the wandering Algonquins of the neighborhood of Quebec. He sends there two subordinates with a view of first acquiring the language, in the hope that greater resources may soon be afforded the Jesuits by their friends in France and the fur company, to enable them to proceed with decisive results in the execution of their scheme. The vivid picture of the colony which he traces in poignant, though moderate, words, is much after the manner of Champlain, whose complaints in that respect are well known to all readers of his works.

The volume is equal in value to any of the three which have preceded it, and that is high praise.

BENJAMIN SULTE.

Virginia Cartography. A Bibliographical Description. By P. LEE PHILLIPS. [Smithsonian Miscellaneous Collections, Vol. XXXVII. Number 1039.] (Washington. 1896. Pp. 85.)

MR. PHILLIPS is one of the assistant librarians in the Library of Congress. His treatise gives evidence of careful and prolonged research and is a contribution to American history of distinct value. It is to be regretted that some of the descriptions, especially the one relating to Fry and Jefferson's important map, are not fuller, but the work, as it stands, is, nevertheless, interesting and commendable.

The first map of Virginia was drawn in 1585 by John With or White, a painter. In the third edition of Hariot's account of Virginia, published in the first part of De Bry's collection in 1590, the artist's name appears as With in the Latin, German and French versions, and as White in the English version only, all four versions having been published in the same year. He is described as having been "sent thither speciallye and for the same purpose by the said Sir Walter Ralegh, the year abouesaid 1585, and also the year 1588." In *The Principal Navigations*, by Hakluyt (editions of 1589 and 1598) John White appears among the members of the expedition of 1585, but not in the list of "the principall gentlemen of our companie" and he seems to have returned to England. The John White whom Raleigh appointed governor of Virginia, on the other hand, made five voyages to the colony, the last being in 1590. In Stith's *History of Virginia* (1747) the John With or White of De Bry is made identical with John White, the governor, but Camus in his *Mémoire sur la Collection des grandes et petits Voyages* (Paris, 1802), expresses a doubt as to their identity, and Bancroft treats them as separate persons. Kohl, in his *Descriptive Catalogue of those Maps, Charts and Surveys relating to America, which are mentioned in Volume Three of Hakluyt's Great Work*, declares they were the same person, and so do Henry Stevens in the *Bibliotheca Historica* (Boston, 1870), Justin Winsor in the *Narrative and Critical History*, and Dr. Eggleston in his paper in the *Century Magazine* for November, 1888. Nevertheless, Mr. Phillips is of

opinion, and we think with reason, that the contemporaneous evidence tends to show that White or With, the first cartographer of Virginia, was not Raleigh's governor.

The second important map of Virginia was John Smith's. Of that work Mr. Phillips says: "Journeying along unknown streams in a country where at every step lurked danger from enmity of the savage inhabitants and discord among his followers, Smith made a map which is an authority to the present day, and when compared with other maps of his day, impresses us with the genius of the man." The maps of White, or With, and Smith influenced all subsequent Virginia cartography until Augustine Herman's map appeared in 1673. This first became accessible to students in this country two centuries later, when a reduced facsimile of the original in the British Museum was published in the *Maps to accompany the Report of the Commissioners on the Boundary Line between Virginia and Maryland*, Richmond, 1873. A Bohemian by birth, Herman came from Holland to New Amsterdam about 1647 and subsequently settled in Maryland, where he made his map of the surrounding country. Its preëminence continued until 1751, when Thomas Jefferys published *A Map of the most inhabited parts of Virginia, containing the whole Province of Maryland, with parts of Pennsylvania, New Jersey and North Carolina*, by Joshua Fry and Peter Jefferson.

The map of John Henry, engraved by Thomas Jefferys, "Geographer to the King" (London, 1770), is still of interest, as the geography of the state, according to Mr. Phillips, has never been more thoroughly studied. It has especially a general historical value, as it contains the names of many of the plantations.

During the Revolutionary war thirty-four maps of Virginia were published, and in 1794 first appeared Carey's *American Atlas*, published in Philadelphia. Since then the list is a numerous one, the maps steadily increasing in minuteness and accuracy.

GAILLARD HUNT.

The Evolution of the Constitution of the United States, showing that it is a Development of Progressive History and not an isolated Document struck off at a given Time or an Imitation of English or Dutch Forms of Government. By SYDNEY GEORGE FISHER. (Philadelphia: J. B. Lippincott Company. 1897. Pp. 398.)

THIS book will be of great use to all students of the constitutional history of the United States. It collates for the first time all the provisions of the colonial charters and the early state constitutions relating to the same subjects; and thus aids in tracing the origin of the similar clauses in the Federal Constitution. The idea is, however, not as new as the author seems to think. Almost all the previous commentators on the Constitution, from Judge Story to Dr. Stevens, have in many cases quoted from the colonial charters and history when discussing the clauses that resemble and seem to be derived from them. But Mr. Fisher has done

this work with more thoroughness and elaboration than writers who desired to gain the attention of the general reader have dared to attempt. His book is consequently one that will save much labor to all special students of the subject. It also contains a forcible argument against the theory of Mr. Douglas Campbell that our institutions are largely derived from Holland, which those who have any doubts upon the point should consult after reading the *Sources of the Constitution*, by Dr. C. Ellis Stevens.

In general, Mr. Fisher's book is accurate, although his language is at times extravagant. I note but one statement that might mislead a casual reader. At page 264, after an account of the annulment by the Pennsylvania legislature of the charters of the College of Philadelphia and the Bank of North America, he says: "Something, it was generally believed, must be done to give the new national government the power to prevent such deeds. Wilson, who had been a friend and supporter of both the bank and the college, solved the problem by providing in the national document that 'no state shall pass any law impairing the obligation of contracts.'" No authorities are cited in support of this statement, which involves an assumption, whether true or not, widely differing from the prevailing opinion of students of the subject.

Neither Madison nor King nor any other reporter of debates in the Federal Convention mentions Wilson as the author of the phrase. Madison says in the introduction to his report of the debates that "in the internal administration of the states, a violation of contracts had become familiar in the form of depreciated paper made a legal tender, of property substituted for money, of instalment laws, and of the occlusion of the courts of justice."

The origin of the clause in the Convention was on August 28, 1787, when "Mr. King moved to add to the words used in the ordinance of Congress establishing new states a prohibition on the states to interfere in private contracts." (Madison Papers, Elliot's *Debates*, 2d ed., Vol. V., p. 485). This was similar to the clause in the Northwestern Ordinance: "And in the just preservation of the rights and property, it is understood and declared, that no law ought ever to be made or have force in the said territory, that shall in any manner whatever interfere with or affect private contracts, or engagements, *bona fide* and without fraud previously formed." In the debate, which was short, but one remark of Wilson is preserved: "The answer to these objections is that retrospective interferences only are to be prohibited." (Madison Papers, Elliot's *Debates*, Vol. V., p. 485.) Finally on the motion of Rutledge the Convention agreed to a prohibition against the passage by a state of "retrospective laws." (Ibid. The printed journal says "*ex post facto* laws.") In this language the clause was referred to the Committee of Style and Arrangement, consisting of Johnson, Hamilton, Gouverneur Morris, Madison and King, in whose report the phrase "impairing the obligation of contracts," first appears. Although Gouverneur Morris was the man chiefly responsible for the changes in verbiage made by that committee, a tra-

dition first reported in a note by Wheaton to Sturges *vs.* Crowninshield (4 Wheaton's *Reports*, 151), ascribes its authorship to Wilson; and he undoubtedly took it from the works of the Scotch philosopher Thomas Reid, under whom he seems to have studied before his immigration. But although Wilson lectured on the Constitution we can find no suggestion by him that the clause applied to charters or executed grants and was not confined to executory contracts. The only passage from his works that can lend color to such a view is in his argument against the repeal of the charter of the Bank of North America, written two years before the Federal Convention, where the word obligation is used in a way that might bear such a construction. Had James Wilson intended to protect charters by the phrase he would undoubtedly have said so in his lectures before the University of Pennsylvania. (See the discussion in Shirley's *Dartmouth College Causes*, Ch. XII.)

If Mr. Fisher has discovered and will publish any evidence that before the Federal Convention there was any general belief that chartered rights should be protected from state legislation, he will make a valuable contribution to our constitutional history. If not, he should speak less positively on the subject in the next edition of his compilation.

ROGER FOSTER.

A History of Methodism in the United States. By JAMES M. BUCKLEY. (New York: The Christian Literature Company. 1897. Two vols., pp. xiii, 472, 481.)

THE aim of Dr. Buckley in these volumes is "to distinguish Methodism from other forms of Protestant Christianity, to explain its origin and trace its development" through the one hundred and thirty years of its existence in the United States. The book is an excellent piece of historical criticism and narration, having many admirable qualities. Good judgment is shown in the selection of events; the treatment is lucid, and the research is seemingly exhaustive. There is rigorous condensation of all minor matters that fuller consideration may be given to events epochal in significance. Recompense is made for omissions caused by abstention from minute treatment in an extended bibliography of exceeding value to the student in Methodism.

Nearly a fourth of the first volume is devoted to the English genesis. Protestantism in England is carefully traced from its beginnings in the reigns of Henry VIII. and Edward VI., and Methodism is given its proper historical setting within this larger movement. "The springing of American Methodism fully fledged from the brain and heart of Robert Strawbridge and Philip Embury" is accounted for in the personality of John Wesley, whose influence on these humble pioneers is described. To determine this personality our author seeks the formative influences of Wesley's life. He chronicles the founder's progenitors, who on both sides were of "gentle birth and ancient lineage;" and tells of the decisive impress of the home, the school, the university and of Peter Bohler, that

devout Moravian from whom Wesley learned the meaning and fruits of faith. The moral degradation and religious laxity of the age is pointed out and authority quoted to the effect that "the darkest period in the religious annals of England was that prior to the preaching of Whitefield and the two Wesleys." In this part of the work we are told why and how Wesley formed Methodism. From its beginning the movement was successful. In 1742, "twenty-three itinerants and several local preachers" recognized the final authority of Mr. Wesley. Twenty-four years later the total membership in England was estimated at more than twenty-two thousand, and before the end of the century it had increased to nearly ninety thousand.

Whether the first American society was organized in New York by Philip Embury, or in Maryland by Robert Strawbridge, has long been a matter of dispute. Dr. Buckley states the arguments for each theory; but holds with Nathan Bangs, Wakely and other writers that priority belongs to Embury's work. He says that "Dr. John Atkinson in *The Beginnings of the Wesleyan Movement in America* exhaustively discusses this question, furnishing cumulative and convincing proof that American Methodism began in New York" (I. 142.) It is to be regretted that our author does not cite what new facts Dr. Atkinson has discovered. So far as Dr. Buckley's *History of Methodism* is concerned the question is as debatable as ever, and we are forced to adopt the conclusion of Dr. Abel Stevens that "The impartial student of early Methodist history will find it expedient to waive the decision of the question till further researches shall afford him more data" (*Hist. of M. E. C.*, I. 72, note.)

The years that followed the formation of the first societies were times of struggle and self-sacrifice. The early leaders were men of marked individuality. Their clear-sighted purpose enabled them to build wisely. While there were differences among them they were all united in allegiance to Mr. Wesley. They believed thoroughly in the doctrines of the movement he had inaugurated; his personality animated them in their labors; and in all things his power was supreme. Along lines laid down by him the Methodist Episcopal Church was organized at Baltimore in 1784. The liturgy, a revision of the English Book of Common Prayer by Mr. Wesley, was to be used; the sacraments were to be administered by a superintendent, elders and deacons; and rules were devised for the induction and ordination of ministers. Thomas Coke and Francis Asbury were elected first superintendents. Four years later the title of superintendent was changed to that of bishop. This displeased Mr. Wesley, though he afterward acquiesced in the change as reasonable and justifiable.

The need of some method of general legislation soon became apparent. To satisfy this need the conference adopted a plan proposed by the bishops for an institution to be called the council. It was to be made up of the bishops and presiding elders. But manifest dissatisfaction with the institution from the outset soon grew into a general protest and the bishops were compelled to consent to its indefinite postponement. Then

came the General Conference of all the preachers which first met, November 1, 1792, in Baltimore. This has become a permanent institution of the church. The constitution for its perpetuation and government was adopted in 1808; and since that time it has been a delegated body.

In clear outline our author sketches the secession of O'Kelley and the establishment of his Republican Methodist Church, which had only a brief and feeble existence; and the attempt of Bishop Coke in 1791 and 1792 to effect a union of the Methodist Episcopal and Protestant Episcopal churches, and seven years later to unite the Wesleyan body of England with the Anglican church. Concisely, too, he treats of the question of lay representation. He sets forth the reasons for the secession of 1828 that resulted in the formation of the Methodist Protestant church, and describes the later movements that have succeeded in giving laymen representation in the highest councils of the mother church.

The question of slavery as it affected the church is treated comprehensively. From its foundation in the United States till 1800, Methodism was unrelenting in its opposition to slavery. The tone of condemnation became less severe in 1804; and four years later all rules forbidding the holding of slaves by private individuals were stricken out. When the abolition movement began in the thirties the Ohio and Baltimore Conferences unhesitatingly condemned it; while those of Philadelphia, Pittsburg and Michigan declared it incompatible with the duties of Methodist preachers to deliver abolition lectures. But in church as well as in state the "irrepressible conflict" was on; the crisis was reached in the General Conference of 1844 when the church was rent in twain. The organization of the Methodist Episcopal Church, South, and the more important events in its history are briefly described; and in still less degree the same is done for the other branches of Methodism. A chapter toward the close of the work is devoted to "propagandism, culture and philanthropy of the Methodist Episcopal Church." The beneficent and educational institutions are carefully grouped. The work of the church in these directions is indeed a magnificent tribute to the evangelism of Methodism, to its founder, John Wesley, and to his followers who came to America infused with his spirit. Dr. Buckley's book is a valuable contribution to our historical literature. It is a clear and concise statement of an influence and an organization—for Methodism is both—that constitute one of the formative forces of our national existence, and that is playing an important part in the making of the world that is to be in the twentieth century.

JOHN WILLIAM PERRIN.

New Light on the Early History of the Greater Northwest. The Manuscript Journals of Alexander Henry, Fur Trader of the Northwest Company, and David Thompson, Official Geographer and Explorer of the same Company, 1792–1814. Exploration and Adventure among the Indians on the Red, Saskatchewan,

Missouri, and Columbia Rivers. Edited, with copious critical commentary, by ELLIOTT COUES. (New York: Francis P. Harper. 1897. Three vols., pp. xxviii, vi, 1027.)

DR. COUES has added to his editions of Lewis and Clark and Pike, these three volumes dealing with the travels of Alexander Henry, the younger, and David Thompson, covering the years from 1799 to 1814, and the area along the Red, Saskatchewan, Missouri and Columbia Rivers. They differ from his previous works in being substantially new material, while the others had been printed before. In publishing his Lewis and Clark, Dr. Coues failed to secure the original manuscript of the diaries in time to reprint them, and thus gave us an annotation of the old modified version of Biddle, with occasional appetizing footnotes containing the original text in all its charm of flavor. In dealing with these volumes the method of Dr. Coues is also peculiar. He found the journals of Henry too voluminous to print, and rather verbose. Consequently he "took what grammatical liberties" he pleased, cut out superfluous words, and recast sentences and "made a textual compromise between what he found written and what he might have preferred to write had the composition been his own." One can sympathize with the difficulties of repetition which beset Dr. Coues, but it is obvious that the mode of treatment described would deprive the work of any right to the title of an original authority, and moreover the manuscript used by Dr. Coues is only a copy of the original journals, now apparently lost. The manuscripts of Thompson, the scientist of the Hudson Bay Company, later of the Northwest Company, and then of the International Boundary Commission, and discoverer of the sources of the Columbia, include in their original form the period from 1784 to 1850, and exist in about forty bound volumes. These Dr. Coues used only in the notes to Henry's travels, and therefore he incorporated only the material on the period down to 1812. The work is one that does not suffer so gravely from this editorial remodelling as might have been expected, since it is largely of value as a contribution to the literature of exploration and of the manners and customs of the Indians and the voyageurs of the remote Northwest. One who wishes to see the life of the fur-trader, the advance agent of civilization among the savages, and the Indian himself, in a state of nature, will find it in these pages. No more frank, and appallingly ghastly, photograph of the daily life of the trader in an Indian community has ever been made. The book is for the student of primitive society, the investigator of social origins, and not for the delicate stomach of the general reader. As a contribution to the literature explanatory of the process by which civilization and savagery intermingled and the Indian was exploited, the book is of the first rank.

Alexander Henry, the fur-trader whose journeyings are here related, was the nephew of the Henry who figures in the pages of Parkman. His career affords some additional light upon the methods of the Northwest Company, as well as upon the social conditions mentioned and he was

present at the transfer of Astoria to the British, and gives us an account of the proceeding.

Dr. Coues' notes are voluminous. A vast mass of personal names has been collected, much of it worthless, except perhaps to the local historian; but with this there is abundant evidence of the editor's familiarity with the local geography and with the natural history of the region of the travels. On its historical side and on its anthropological side the work might be improved by an editor of other qualifications.

FREDERICK J. TURNER.

The Struggle between President Johnson and Congress over Reconstruction. By CHARLES ERNEST CHADSEY, Ph.D. [Columbia University Studies in History, Economics and Public Law, Vol. VIII., No. 1.] (New York: Macmillan Co. 1897. Pp. 150.)

To say that this book treats of the most interesting and important, and at the same time most tragic event in the civil history of the United States, is not overstating the fact. It is a very complete summary of the mass of Congressional legislation on that delicate and exciting topic, and clearly and forcefully illustrates, not only the extraordinary gravity of the issues of that time, but the varying stages of the process of the reconstructive legislation of Congress rendered seemingly necessary by those issues, this recital ending—as the closing chapter of the book, as it was the close of the record of the Reconstruction era—with a brief chapter on the impeachment of Andrew Johnson in 1868.

In the matter of Reconstruction, and the development of the successive and progressive stages of legislation and changes of conditions that marked its progress, this volume is the most complete presentation of the facts of the history relating thereto, that has ever been grouped in the same compass. It presents also a striking illustration of the advance of public sentiment of that time from a very moderate and conservative to an extreme position. That record of legislation is of itself a quite complete history of the processes of Reconstruction, and is emphasized and rounded out and brought to conclusion by the chapter on the impeachment, and with a moral that will never be forgotten, nor its solemn admonition ever cease to impress the statesman or student of history.

The presentation thus made illustrates, clearly and forcibly, and in historical order, from the beginning to the end of the recital, as the war progressed to conclusion and exigencies developed by changing conditions, the progress of the sentiment of the North from the very moderate position originally occupied by Congress, representing the great mass of the people, to the extremes of public opinion and public demand for what may be termed "obliterative" legislation that characterized the closing year of the war and the year of Reconstruction that followed. It shows that even from that extreme but not illogical sequel of the strife, a still further advance was made, as the strife over Reconstruction continued, to the assumption by Congress of the power to declare and

enforce by arms, that nothing short of the destruction of the states themselves, as political entities, and their reorganization on the basis of equality to all their people, with rigid guarantees for the future, would be acceptable to the victor.

The record presented in this book shows that the course pursued by Congress in relation to Reconstruction developed in a marked degree the characteristics of a Congressional aristocracy—that it was ruled by a few men of marked personality and great power of will that brought men of less individuality and force to unquestioning compliance with their plans—that thus they ruled with an absoluteness of despotism that sought to absorb and did absorb, for a time, not only executive, but also, in a sense, judicial powers, in the reorganization of the revolted states.

Possibly the conditions of the time rendered this necessary. The generations to come may be better qualified to judge of that than those who participated in that great struggle as soldiers and legislators—who carried the sword and the torch, and were afterwards called to crystallize into law the decrees of the sword, and as far as possible by legislation to restore the devastations of the torch, through processes which came to be known as "Reconstruction." Time, whose judgments are inexorable and know no reversal, will settle that question.

The vanquished, not unnaturally or unreasonably, insisted upon the best terms possible, while the winner was imperious and too often disdainful and revengeful. Too many of those who bore in the field the brunt of the strife seemed to forget that all for which they took up arms was victory and the restoration of a broken Union—not revenge—while too many, also, who had failed to respond to the call of their country when there was fighting to do, after their neighbors had fought out and settled the great paramount question—the preservation of the Union intact—under the stimulus of this extreme legislative action, became suddenly filled with patriotic indignation toward those who had fought out the war and refused to believe that the Union had been broken and needed rebuilding on a new and entirely different plan. It was that class of non-combatants, in large degree, who incited the drastic legislation that characterized the Reconstruction era and blurred the national statutes with laws that properly belonged to the Draconian age.

The book is a carefully prepared exhibit of these various progressive steps in the legislative measures of Reconstruction, from the beginning, in 1863, to the close of the impeachment trial in 1868. The presentation is logical, condensed and as complete as could be in the same space. It will be satisfactory to the reader in search of official information on that very important chapter of American history.

There is blunt but truthful force in the concluding statement of this record of the Reconstruction era, that "the whole period is marked by blunders and prejudices on both sides," that "the spirit of compromise could find no place in either's plans." Looking back over the history of that time, the occasion for that suggestion becomes painfully apparent. "What might have been," however, as the recital suggests, is as a rule a fruitless topic of discussion.

And yet the lesson of that record will remain one of profound significance and admonition to future ages, not only to the people of America as they come to occupy the continent with a hundred states and a hundred millions more of people, but to all the world, as that world advances in the greatest of all the sciences—the science of political government—a light for their guidance, as also a warning of danger.

Altogether, the book is as complete, fair and intelligent a statement of the occasion it describes as is possible in the space devoted to it, and cannot fail to interest and instruct all who may take the time necessary for its careful perusal and consideration.

EDMUND G. ROSS.

History of the Scandinavians and *Successful Scandinavians in the United States.* Compiled and edited by O. N. NELSON. (Minneapolis, Minn.: The Author. 1893 and 1897. Two vols., pp. xiii, 643; xiv, 498.)

IN recent years considerable attention has been paid by historical investigators to local matters and to racial contributions to history. Among works of this description the one under review will take its place as the most elaborate attempt yet made to deal with the Scandinavian element in the United States. In 1893 Mr. Nelson, after much research and with the assistance of collaborators, put forth the first volume of his work, that volume dealing especially with Scandinavians in Minnesota, but containing also brief accounts of early settlements, church organizations and national characteristics. The second volume, just issued, besides containing some historical summaries or essays, treats of Scandinavians in the states of Iowa and Wisconsin.

The work has a two-fold character—it is partly a collection of more or less distinct historic or statistical sketches, partly a biographical dictionary. The unifying feature is, of course, the race element; but, as these volumes show, even the race characteristics of the three nationalities vary considerably. While all have laid much stress on church and school work, the Norwegians have shown the most conservative adhesion to the Lutheran faith. The Swedes have given evidence of more versatility in religious as well as in other matters, while the Danes, in proportion to their number, have made less progress in these respects. As regards the numerical strength of the Scandinavians, including in this term all persons of Scandinavian parentage, the author computes that in Minnesota somewhat more than one out of every three persons is a Scandinavian, in Wisconsin one out of every seven, and in Iowa not quite one out of every ten. In the matter of crime the Northmen stand very high, and, before 1880, they did so in respect to insanity. Since that date their proportional number of insane persons has largely increased. On this head the author has, in his second volume, a carefully prepared article, which will no doubt be read with interest. Among other articles in this volume is one on Luther College, an institution of learning founded by Norwegian Lutherans in 1861.

The Scandinavians have admittedly done much to build up the Northwest, materially and morally. Some of this work has been of such a kind as to admit of no statistical record. It has been the silent influence of individual character working out its career according to its light and its native bent. The results have in many cases, especially in religion and in education, taken distinct color from the Norse character. In other cases, for instance in politics, as Mr. Nelson points out, the Scandinavian contribution—such as it has been—is hardly to be distinguished from that made by the native Americans. And this, it is safe to say, has been due less to numerical weakness than to a process of rapid Americanizing.

Since personal character counts for so much, and since much of what Norse energy has achieved in this country is due to individual rather than to organized effort, it is quite proper that a work like this should contain biographies. The greater part of each volume is therefore given over to short sketches of men who have, or are thought to have, attained some success or eminence in their respective callings. The biographies bear, on the whole, the mark of having been carefully and judiciously prepared. Though many of them will possess but little interest to the average reader, yet they form, taken together, a rough index to the traits and qualities of the nationalities with which they are concerned. In some cases the biographies are more elaborate, and properly so. The principle of selection is not always obvious. Some names, at least as well known as several of those included, are omitted; perhaps the owners did not choose to furnish the data. In a work of this kind, dealing often with an enterprise in one article and with a leading promoter of it in another, some repetition was to be expected. Yet more caution might perhaps have been exercised to avoid it. Facts of an impersonal nature have no necessary place in a short biography. Thus, for instance, it would be hard to show how an account of certain dedication exercises (Vol. II., p. 241) throws any appreciable light on a man's life.

Mr. Nelson's undertaking is a commendable one, and he has shown himself qualified to carry it on. He is understood to have the intention of preparing one or more additional volumes to deal with the subject in other states. In this gleaning process naturally some things will be gathered that future workers will think it well to sift out, but the sifting is sure to yield its reward.

ANDREW ESTREM.

A History of Canada. By CHARLES G. D. ROBERTS. (Boston, New York, London: Lamson, Wolffe and Co. 1897. Pp. xi, 493.)

Mr. ROBERTS'S book is a compilation only, but it is on the whole a successful one. There is promise of a flood of histories of Canada. Three have appeared within a year, but we miss, in them all, original inquiry and independent views. The Canadian Confederation is thirty years old and a strong national life has begun to develop. The world

wants to know all about Canada, but Canadian scholars have not thrown themselves into the work of inquiry as we may hope that they will. Writers on the French period, for instance, still echo Parkman and the French historians who worked before him.

Mr. Roberts is a recruit in history who comes from the fields of poetry and fiction. It must be admitted that, with certain advantages, this brings also drawbacks. The poet is impatient of the laborious sifting of evidence that scientific history involves, and his imagination is apt to cause him to jump at conclusions. It is amusing to see Mr. Roberts settling offhand a question about which volumes of controversy have been written. Thus John Cabot on his first voyage "reached the continent at a point which is now Canadian territory" (p. 6) and he was also the "illustrious discoverer" of Prince Edward Island (p. 180). Mr. Roberts draws upon his imagination too when he pictures the Jesuits, on the shores of the Georgian Bay, as practising princely hospitality, and thus promoting sloth among the whole tribe of Huron warriors (p. 61). Does he realize that everything which the Jesuits possessed reached them by the laborious route of the Ottawa, and was carried in canoes, and, across portages, on the backs of men? Their "princely" hospitality must have been based mainly upon the slender crops which they were themselves able to cultivate.

However, the mistakes of this nature, after all, amount to very little. A more serious fault is that Mr. Roberts sometimes does not find a correct historical setting for events in Canada and that his judgment is often hasty and prejudiced. At the time that Jacques Cartier was entering the St. Lawrence English navigators were not yet "battling with the ships of Spain in the tropics" (p. 8). That struggle came later, in the days of Elizabeth. Whatever ill-informed historians may say, Louisbourg was not surprised in 1745 (p. 17). Some of Warren's ships were already there when Pepperrell's transports arrived, and the garrison had received abundant information about the English plans. Mr. Roberts, in his contempt for the "Boston Tea Party," describes it as "a childish farce" (p. 165), but he seems to overlook the one salient fact that tea was the article chosen by the British government to tax in order to assert authority over the colonies. His prejudices cause him to miss the point again in regard to the *Caroline* incident (p. 300). The trouble was not that the *Caroline* was an American vessel, but that, to cut her out, a Canadian armed force invaded United States territory and committed acts of violence.

Of minor inaccuracies there are a good many. A baronet is not technically a "noble" (p. 48) and a "C. B." would not be a knight (p. 245, note). So ardent a patriot should not call the United States "America" (pp. 360 and 370). Dr. Selwyn resigned the headship of the Geological Survey of Canada some years ago (p. 421). The recently published life of the Marquis de la Jonquière goes to show that he did not grow rich in Canada (p. 122). Mr. Roberts pictures the Chignecto Ship Railway for transporting ships by rail from the Bay of Fundy to the

Gulf of St. Lawrence as being a work of brilliant promise (p. 429). Is he aware that it has been practically abandoned, and that the unfortunate shareholders have probably lost hopelessly the millions which they invested in it? A good many mistakes in the spelling of names need not be designated here. It is not a slight defect, too, that no account of the aborigines is given.

The merits of the book are, however, substantial. The style is good, the arrangement of the matter is excellent, and Mr. Roberts has a just sense of proportion and avoids the fault, which most historians of Canada commit, of giving undue space to the French as compared with the English period. It is striking testimony to the possibilities of the union of the two races in Canada that this story of a great international struggle is so told as to avoid any appeal to the prejudices either of the English or of the French. Mr. Roberts thinks that the Canadian people may reap benefit from their peculiar situation by ripening the good traits both of French and of English character. He is optimistic throughout. He can find it in his heart to think that Canada's slow growth in population is a, not even disguised, blessing (p. 408), and some of his sentences read like Fourth of July declamation: "The figure of our destiny looms splendid and mysterious before us" (p. 437). "The imperial heritage to which Canada thus fell heir is one so vast that nations might be carved from it and the loss scarcely noticed" (p. 361). Canada does not need this turgid rhetoric. She is moving towards a great future, and the best thing that her literary sons can do for her is to make clear the sober historical conditions which have resulted in her present status.

The already famous papyrus fragment recently discovered at Oxyrhynchus, 120 miles south of Cairo, has been edited by the discoverers, Messrs. Grenfell and Hunt, late Fellows of the University of Oxford, under the title *Λόγια Ἰησοῦ*, *Sayings of Our Lord* (London, Henry Frowde, pp. 20). From the fact that the papyri found in its immediate vicinity belong to the second and third centuries, from the "characteristically Roman aspect" of the handwriting, from the presence of contractions usually found in Biblical MSS., and from the fact that the papyrus was in book-form, not roll-form, the editors assign it to the period 150–300 A. D. We are greatly indebted to them for the speed with which they have given the text of the fragment to the public; but it is probably too early to attempt a definite solution of the historical questions which it raises—we must wait for the discovery of other portions of the papyrus. Of the eight Logia fragments of which are discernible, six are wholly or in great part legible: the first is identical with Luke vi. 42; the second is legalistic ("except ye keep the Sabbath") and perhaps Gnostic ("except ye fast to the world"—but the Greek construction of this phrase is impossible); the third ("I found all men drunken," etc.) is in tone unlike anything in the New Testament; the fifth ("raise the stone and there thou shalt find me," etc.) appears to have a Gnostic tinge; the sixth is, in its first half, substantially identical with Luke iv. 24; the

seventh in an expansion of Matt. v. 14. The editors regard the primitive setting and original character of the Sayings as fixing the composition of the fragment in the period "when the canonical gospels had not yet reached their preëminent position," that is, according to them, not later than 140 A. D.; and they stoutly, and too sweepingly, deny that there is any Gnostic coloring in the fragment. They are probably right in their assertion that there is no good evidence that the Logia are taken from the "Gospel according to the Egyptians," or the "Gospel according to the Hebrews," or that they have any immediate connection with the Logia of Matthew or with those of Papias. Their correspondence with Luke is striking (the seventh Logion, however, rather suggests Matthew), but their divergence from the synoptical gospels is no less striking. They profess to be a collection of the sayings of Jesus—but how and when was the collection made? There were doubtless many such collections in the first and second centuries. Does this fragment contain excerpts from various sources, gospels canonical and uncanonical, and other writings, some of which were tinged with Gnosticism? Or, does it represent an early collection from which our canonical gospels drew? These questions must be left for the present unanswered.

C. H. T.

The contrast between English and American county histories is, to an American historical student, a painful and humiliating thought. It is brought home once more by the new *History of Northumberland*, issued under the direction of a public-spirited committee of gentlemen of the county, headed by Earl Percy and including Dr. Thomas Hodgkin and the late Canon Raine. The third volume of this superb work (London: Simpkin, Marshall and Co., pp. 352) is before us. The first volume dealt with the parish of Bamburgh, the second with certain other northern parishes of the county; the third proceeds to the west, and constitutes Part I. of the portion treating of Hexhamshire, a region having a special interest and a special unity as having been, down to 1572, a separate regality possessed, for several centuries, by the archbishops of York. The present volume is prepared by Mr. Allen B. Hinds, who received much assistance from Canon Raine's standard book on *Hexham Priory*, and from his notes and collections. The volume treats of the regality in general and of the borough of Hexham in particular. There are brief accounts of the geology, agriculture and dialect of Hexhamshire, but the main interest lies in the lucid and learned accounts of the history of the regality, from the times of Queen Etheldrid's grant to bishop Wilfrid (674) to its abolition, of the church and priory of St. Andrew, and of the borough. The first is accompanied by the text of two surveys, one drawn up in 1547, the other in 1608. The history of the church includes an account of its architecture. The history of local government is fully treated, as was to be expected from an author of the modern Oxford school. The volume is illustrated with a dozen admirable photogravures and with plans and drawings inserted in the text.

The last noteworthy edition of Bishop Burnet's *History of My Own Time* was that of Dr. Routh (1823, 1833). Mr. Osmund Airy has applied the abundant treasures of his learning, relative to that period, to the preparation of a new edition, of which the first volume, extending to the end of Book II. (1672) has now appeared (Oxford, Clarendon Press, pp. 607). The text has been collated with that of the original MS. in the Bodleian Library. It seems a little surprising that, apparently, no collation or other use has been made of the still more original MS., the partial rough draft in the British Museum (Harl. MS. 6584), from which Ranke nearly a quarter of a century ago derived such interesting results. All possible care has evidently been expended on the annotations. Nearly all the notes of Onslow and Dartmouth have been retained, some of those of Dean Swift, and many of those of Dr. Routh. These are all properly distinguished by initials. In addition, the present editor has supplied a very large amount of valuable illustrative material, derived from original sources, which have been printed since Dr. Routh's final edition appeared, and from other quarters into which his extensive and minute researches into the history of the reign of Charles II. have led him. So complete and so excellent otherwise is the apparatus that the new edition will probably long be the authoritative form of the *History*. The volume is a handsome one; it has no table of contents.

In *The Eastern Question and a Suppressed Chapter of History; Napoleon III. and the Kingdom of Roumania* (Boston, George H. Ellis, pp. 54) Mr. Stuart F. Weld labors, with much success, to exhibit the part which the French emperor, inspired in part by the sentiment of nationality, took in promoting the union of the two Danubian provinces and their eventual independence. His narrative is not wholly critical, and his plea for the emperor is sometimes pushed too far. But it is interesting and, since the episode with which it deals is unfamiliar to most persons, it is likely to do good as a contribution to a juster estimate of Napoleon III. in America.

The aims of Professor Albert Bushnell Hart's *American History told by Contemporaries* (Macmillan Co.) are stated in the preface to be: "First, to put within convenient reach of schools, libraries and scholars authoritative texts of rare or quaint writings in American history, contemporary with the events which they describe; and, in the second place, to give, in a succession of scenes, a notion of the movement and connection of the history of America, so that from this work by itself may be had an impression of the forces which have shaped our history, and the problems upon which they have worked." The design is to be carried out by means of four volumes. The first, now published (pp. xviii, 606), is occupied with the "Era of Colonization," 1492–1689. The second volume, under the title "Building of the Republic," will embrace the period 1689–1783; the third, "National Expansion," 1783–1844; the fourth, "Welding of the Nation," 1845–1897. The volume now issued

contains a hundred and fifty-seven extracts or documents, selected from the most various sources, and averaging somewhat less than four pages in length. First, the discoveries and early voyages are illustrated by a variety of extracts, ranging from the Saga of Eric the Red and the journal of Columbus to the narratives of Father Jogues and Father Marquette, and including many of the best bits of Hakluyt. The problems and processes of colonization are next exemplified by selections from contemporary English writers, like Harrison, and from the records of colonizing corporations. Then the Southern colonies, those of New England, and the Middle colonies are successively dealt with, first in narratives which show the most salient events or phases of the colonial history, and then in descriptions which depict the conditions of colonial life. Thus, extracts from Smith, Wingfield, Hamor and half-a-dozen other writers present famous episodes in the early history of Virginia, while Virginian life in the colonial period is illustrated by portions from the letters of Colonel William Fitzhugh, from Rev. John Clayton's report to the Royal Society, and from Hartwell, Blair and Chilton's *Present State of Virginia*. The mosaic is made with great skill, and the volume, as a whole, gives a most vivid and varied picture of the life and movement of the seventeenth century in America. The pieces are judiciously chosen, and come from a variety of authors so great that few school libraries contain a large proportion of them, while some of the books excerpted are distinctly rare. For the training of college students in the use of sources (within the limits within which this can be practised in colleges) varied extracts covering a large period are not so desirable as a completer collection of sources for a limited field; and the present collection is more likely to be used in schools. But many a college student, not to say many a professor, would find his comprehension of colonial history widened, and his appreciation of its interest heightened, if he would but read through this handsome volume consecutively. The series of extracts from the original sources is preceded by an introduction in which many valuable suggestions are made respecting the use which may be made of them and of the originals from which they are taken.

Vol. XIX. of the "New Jersey Archives" (*Documents relating to the Colonial History of the State of New Jersey*) edited, by authority derived from the state, by Mr. William Nelson, corresponding secretary of the New Jersey Historical Society, is the third volume devoted to newspaper matter. Mr. Nelson's invaluable account of early American newspapers and statement of the libraries in which they may be found is continued in alphabetical order through Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada and New Hampshire. The newspaper extracts relating to New Jersey are continued (from Vol. XII.) from 1751 to 1756. Drawn (chiefly) from the New York and Philadelphia papers of the time, they present an invaluable body of material for the illustration of the social history of the Jerseys, especially in such matters as servitude, land-holding and agriculture, crimes and lotteries.

The first edition of *Historical Collections relating to Gwynedd* (Pennsylvania), by Howard M. Jenkins, was exhausted soon after its publication in 1884. Mr. Jenkins now issues a second edition (Philadelphia, The Author, pp. 456), with corrections and additions, especially in the genealogical sections. The general plan and the substance of the text remain unchanged, and the same modest title is preserved. Though a complete history of this old township of Welsh Quakers was not contemplated by the author, but rather a series of chapters on special subjects, chiefly relating to its early years, yet within the limits which the author proposes to himself he provides a model of accurate local investigation.

The Boston Athenæum has printed, in a well-executed volume of 566 pages, *A Catalogue of the Washington Collection in the Boston Athenæum*, compiled and annotated with great care and with much bibliographical learning, by Mr. Appleton P. C. Griffin. It is now nearly forty years since the plans for such a catalogue were laid. The collection itself came into the possession of the institution in 1848, having been obtained, indirectly, from heirs of the general. The inventory of General Washington's library indicates 884 volumes, not counting pamphlets. Of these the Athenæum has 341. The first, and most important, division of the present volume consists of a catalogue of these books. Each entry is accompanied with proper bibliographical information, and in most cases with extracts from letters of or to Washington, or from his account-books, which show the circumstances under which he acquired the volume. Many, if not most, of the volumes are presentation copies. Accordingly the letters just mentioned, found chiefly in the library of the Department of State, but also industriously sought and consulted elsewhere, are of considerable literary or historical interest. Some of them make certain the authorship of anonyma, as in the case of the *View of the New England Illuminati* and other pamphlets of Rev. John Cosens Ogden. Washington's replies, when they show nothing else, show his tact and discretion. Part II. presents a less elaborate catalogue of other books derived from Mount Vernon, chiefly the former property of Judge Bushrod Washington. Part III. is a catalogue of the Athenæum's collection of Washington's writings, which, beyond the ordinary bibliographical material, contains a useful list (in bibliographical, not in chronological order) of letters of Washington printed elsewhere than in the standard collections of his writings. Part IV. is a catalogue of the Athenæum's Washingtoniana. An appendix, by Mr. W. C. Lane, gives the inventory of the library of General Washington, expanding or explaining the titles there given in abbreviated form, and presenting in notes the subsequent history of each book, so far as possible, and an indication of the present location and ownership. Many students of American history beside the special students of Washington will find the volume useful and informing.

It being now more than a generation since the issue of the last extensive history of the Church of the United Brethren in Christ, the General

Conference of 1889 took steps toward the preparation of a new book on the subject. The result is a *History of the Church of the United Brethren in Christ*, by the Rev. Dr. Daniel Berger (Dayton, United Brethren Publishing House, pp. 682). The plan is comprehensive. The general history of the church and of its general conferences is followed by an account of the development and progress of institutions established to promote special departments of its work, such as publication, missionary activity and education; by a brief history of each local conference, and by historical and statistical tables. As is usually the case with American denominational histories, the earlier chapters of the narrative are the most interesting, though the writer has here obtained few materials beyond those used by Spayth. In tracing the history of Philip William Otterbein and Martin Boehm, and of the process by which the new organization, with its Arminian and revivalist spirit, was built up out of materials supplied by the German Reformed and Mennonite churches, Dr. Berger is led inevitably to present to some extent a picture of the religious and social condition of the better sort of German inhabitants of Pennsylvania and Maryland a hundred and twenty years ago. The rest of the book, though carefully prepared and well written, and animated by a liberal spirit in treating of controversies, lacks this element of personal interest. Like our denominational histories generally, it is a history of the clergy and of the organization rather than one which enables the reader to estimate the laity, to judge of their mental and moral condition and religious characteristics, and so to "place" the denomination as an ingredient and force in American life. But within its limits the book is a valuable record of a religious body now numbering some 240,000 communicants, mostly in Pennsylvania, West Virginia, Ohio, Indiana and Illinois.

BIBLIOGRAPHICAL

A List of Printed Commissions and Instructions to Royal and Proprietary Governors in the English Colonies of North America

This list includes only documents which are printed in full, excluding summaries and extracts. The term "instructions" also requires explanation. As used here, it means the formal document which, together with the commission, was given to each governor on his appointment to his province. Single articles or so-called additional instructions which appear from time to time in the records of nearly every province are not recorded here. Ordinary letters from the home government, or from proprietors, are excluded even though they may contain more or less formal instructions on many matters connected with the government of the province. Commissions to lieutenant-governors are enumerated only when the officer bearing that title was the regular, and not merely the provisional, head of the provincial government, the formal title of governor being reserved for the proprietor or one of the proprietors.

It should be said further that all the British colonies are not included in this list, but only those which afterwards became part of the United States.

In addition to the documents given below, there may be found in Stokes, *Constitution of the Colonies*, p. 150, the form of a royal commission with arbitrary dates and without names.

Evarts B. Greene.

1610. Proprietary commission to Lord La Warr, governor of Virginia. In Brown, *Genesis of the United States*, I. 375.

1618. Proprietary instructions to George Yeardly, governor of Virginia. In *Virginia Magazine of History and Biography*, II. 154.

1624. Royal commission to Sir Francis Wyatt, governor, and the council of Virginia. In Rymer, *Foedera*, XVII. 618.

1626. Royal commission to George Yeardeley, governor, and the council of Virginia. In Rymer, *Foedera*, XVIII. 311.

1626. Royal instructions to Sir George Yardly, governor of Virginia. In *Virginia Magazine of History and Biography*, II. 393.

1628. Royal commission to John Harvey, governor, and the council of Virginia. In Rymer, *Foedera*, XVIII. 980.

1635. Proprietary commission to John Winthrop, the younger, governor of the river Connecticut. In Trumbull, *History of Connecticut*, I. 497.

1636. Royal commission to John Harvey, governor, and the council of Virginia. In Rymer, *Foedera*, XX. 3.

1637. Proprietary commission to Leonard Calvert, governor, and the council of Maryland. In Bozman, *History of Maryland*, II. 572. Also in *Maryland Archives*, III. 49.

1641. Royal commission to Sir William Berkeley, governor, and the council of Virginia. In Rymer, *Foedera*, XX. 484.

1641. Royal instructions to Sir William Berkeley, governor of Virginia. In *Virginia Magazine of History and Biography*, II. 281.

1642. Proprietary commission to Leonard Calvert, governor of Maryland. In Bozman, *History of Maryland*, II. 621. Also in *Maryland Archives*, III. 108.

1644. Proprietary commission to Leonard Calvert, governor of Maryland. In Bozman, *History of Maryland*, II. 631. Also in *Maryland Archives*, III. 151.

1648. Proprietary commission to William Stone, governor of Maryland. In Bozman, *History of Maryland*, II. 642. Also in *Maryland Archives*, III. 201.

1656. Proprietary commission to Josias Fendall, governor of Maryland. In Bozman, *History of Maryland*, II. 689. Also in *Maryland Archives*, III. 323.

1660. Proprietary commission to Philip Calvert, governor of Maryland. In *Maryland Archives*, III. 391.

1661. Proprietary commission to Charles Calvert, governor of Maryland. In *Maryland Archives*, III. 439.

1662. Royal instructions to Sir William Berkeley, governor of Virginia. In *Virginia Magazine of History and Biography*, III. 15.

1664. Proprietary commission to Richard Nicolls, governor of New York. In *Pennsylvania Archives*, second series, V. 509.

1665. Proprietary commission to Sir John Yeamans, governor of Clarendon County. In *North Carolina Colonial Records*, I. 97.

1665. Proprietary instructions to Sir John Yeamans, governor, and the council of Clarendon County. In *North Carolina Colonial Records*, I. 95. Also in Rivers, *Sketch of the History of South Carolina*, 338.

1665. Proprietary commission to Philip Carteret, governor of New Jersey. In *New Jersey Archives*, I. 20.

1665. Proprietary instructions to Philip Carteret, governor of New Jersey. In *New Jersey Archives*, I. 21.

1666. Proprietary commission to Charles Calvert, governor of Maryland. In *Maryland Archives*, III. 542.

1667. Proprietary commission to Samuell Stephens, governor of Albemarle County. In *North Carolina Colonial Records*, I. 162.

1667. Proprietary instructions to Samuell Stephens, governor of Albemarle County. In *North Carolina Colonial Records*, I. 162.

1669. Proprietary commission to William Sayle, governor of Carolina, south and west of Cape Carteret. In Rivers, *Sketch of the History of South Carolina*, 340.

1669. Proprietary instructions to the governor and council at Port Royal, Carolina. In Rivers, *Sketch of the History of South Carolina*, 347.

1670. Proprietary instructions to the governor and the council of Albemarle County. In *North Carolina Colonial Records*, I. 181.

1671. Proprietary instructions to the governor and council of Ashley River. In Rivers, *Sketch of the History of South Carolina*, 366.

1674. Proprietary instructions to Andrew Percival, governor of a new plantation on the Edisto River. In Rivers, *Sketch of the History of South Carolina*, 387.

1674. Proprietary commission to Philip Carteret, governor, and the council of New Jersey. In Leaming and Spicer, *Grants and Concessions*, 58.

1674. Proprietary instructions to Philip Carteret, governor, and the council of New Jersey. In *New Jersey Archives*, I. 167.

1674. Proprietary commission to Edmund Andros, governor of New York. In *New York Colonial Documents*, III. 215. Also in *New Jersey Archives*, I. 156.

1674. Proprietary instructions to Edmund Andros, governor of New York. In *New York Colonial Documents*, III. 216.

1675. Royal commission to Thomas Lord Culpeper, governor of Virginia. In Hening, *Statutes at Large*, II. 565.

1676. Proprietary commission to Thomas Eastchurch, governor of Albemarle County. In *North Carolina Colonial Records*, I. 232.

1676. Proprietary instructions to the governor and council of Albemarle County. In *North Carolina Colonial Records*, I. 230.

1679. Proprietary instructions to John Harvey, president, and the council of Albemarle County. In *North Carolina Colonial Records*, I. 235.

1679. Royal commission to John Cutt (or Cutts), president, and the council of New Hampshire. In *New Hampshire Provincial Papers*, I. 373. Also prefixed to *New Hampshire Province Laws*, ed. 1771.

1681. Proprietary instructions to Henry Wilkinson, governor, and the council of Albemarle. In *North Carolina Colonial Records*, I. 333.

1681. Proprietary commission to William Markham, governor of Pennsylvania. In *Charter and Laws of Pennsylvania*, 470.

1682. Royal commission to Edward Cranfield, governor of New Hampshire. In *New Hampshire Provincial Papers*, I. 433.

1682. Royal instructions to Edward Cranfield, governor of New Hampshire. In *New Hampshire Provincial Papers*, I. 443.

1682. Proprietary commission to Thomas Dongan, governor of New York. In *New York Colonial Documents*, III. 328.

1683. Proprietary commission to Robert Barclay, governor of East New Jersey. In Smith, *History of New Jersey*, 166.

1683. Proprietary commission to Gawn Laurie, deputy-governor of East New Jersey. In *New Jersey Archives*, I. 423.

1683. Proprietary instructions to Gawen Lawrie, deputy-governor of East New Jersey. In *New Jersey Archives*, I. 426.

1683. Proprietary instructions to Thomas Dongan, governor of New York. In *New York Colonial Documents*, III. 331.

1684. Royal commission to Thomas Lord Culpeper, governor of Virginia. In *Calendar of Virginia State Papers*, I. 14.

1686. Royal commission to Thomas Dongan, governor of New York. In *New York Colonial Documents*, III. 377.

1686. Royal instructions to Thomas Dongan, governor of New York. In *New York Colonial Documents*, III. 369.

1686. Royal commission to Sir Edmund Andros, governor of New England. In Force, *Tracts*, IV, No. VIII.

1688. Royal commission to Sir Edmund Andros, governor of New England. In *New York Colonial Documents*, III. 537.

1688. Royal instructions to Sir Edmund Andros, governor of New England. In *New York Colonial Documents*, III. 543.

1689. Proprietary commission to Philip Ludwell, governor of Carolina, north and east of Cape Fear. In *North Carolina Colonial Records*, I. 360.

1689. Proprietary instructions to Philip Ludwell, governor of Carolina, north and east of Cape Fear. In *North Carolina Colonial Records*, I. 362.

1689. Proprietary instructions to John Blackwell, governor of Pennsylvania. In *Minutes of the Provincial Council of Pennsylvania*, I. 318.

1690. Proprietary commission to Lionell Copley, governor of Maryland. In *Maryland Archives*, VIII. 200. (Draft.)

1690. Royal commission to Henry Sloughter, governor of New York. In *New York Colonial Documents*, III. 623. (Draft.)

1690. Royal instructions to Henry Sloughter, governor of New York. In *New York Colonial Documents*, III. 685.

1691. Proprietary commission to Philip Ludwell, governor of Carolina. In *North Carolina Colonial Records*, I. 373.

1691. Proprietary instructions to Philip Ludwell, governor of Carolina. In *North Carolina Colonial Records*, I. 373. Also in Rivers, *Chapter in the History of South Carolina*, 59.

1691. Royal commission to Lionel Copley, governor of Maryland. In *Maryland Archives*, VIII. 263.

1691. Royal instructions to Lionel Copley, governor of Maryland. In *Maryland Archives*, VIII. 271.

1692. Royal commission to Samuel Allen, governor of New Hampshire. In *New Hampshire Provincial Papers*, II. 57.

1692. Royal instructions to Samuel Allen, governor of New Hampshire. In *New Hampshire Provincial Papers*, II. 63.

1692. Proprietary commission to Andrew Hamilton, governor of West New Jersey. In *New Jersey Archives*, II. 87.

1692. Royal commission to Benjamin Fletcher, governor of New York. In *New York Colonial Documents*, III. 827. Also in *Minutes of the Provincial Council of Pennsylvania*, I. 357.

1692. Royal instructions to Benjamin Fletcher, governor of New York. In *New York Colonial Documents*, III. 818.

1692. Royal commission to Benjamin Fletcher, governor of Pennsylvania. In *Minutes of the Provincial Council of Pennsylvania*, I. 352. Draft in *New York Colonial Documents*, III. 856. Also in *Charter and Laws of Pennsylvania*, 539.

1692. Royal instructions to Benjamin Fletcher, governor of Pennsylvania. In *New York Colonial Documents*, III. 861.

1693. Proprietary instructions to Thomas Smith, governor of South Carolina. In Rivers, *Chapter in the History of South Carolina*, 67.

1694. Proprietary commission to John Archdale, governor of Carolina. In *North Carolina Colonial Records*, I. 389.

1694. Proprietary commission to William Markham, governor of Pennsylvania. In *Minutes of the Provincial Council of Pennsylvania*, I. 474. Also in *Charter and Laws of Pennsylvania*, 558.

1696. Royal instructions to Francis Nicholson, governor of Virginia. In *Virginia Magazine of History and Biography*, IV. 49.

1697. Proprietary commission to Jeremiah Basse, governor of West New Jersey. In *New Jersey Archives*, II. 143.

1697. Royal commission to Richard, Earl of Bellomont, governor of New York. In *New York Colonial Documents*, IV. 266.

1697. Royal instructions to Richard, Earl of Bellomont, governor of New York. In *New York Colonial Documents*, IV. 284.

1698. Royal commission to Richard, Earl of Bellomont, governor of New Hampshire. In *New Hampshire Provincial Papers*, II. 305.

1698. Proprietary instructions to Jeremiah Basse, governor of East New Jersey. In *New Jersey Archives*, II. 209.

1699. Proprietary commission to Andrew Hamilton, governor of West New Jersey. In *New Jersey Archives*, II. 301.

1702. Proprietary commission to Sir Nathaniell Johnson, governor of Carolina. In *North Carolina Colonial Records*, I. 554.

1702. Proprietary instructions to Sir Nathaniell Johnson, governor of Carolina. In *North Carolina Colonial Records*, I. 555.

1702. Royal instructions to Joseph Dudley, governor of Massachusetts. In *Massachusetts Historical Society Collections*, third series, IX. 100.

1702. Royal commission to Joseph Dudley, governor of New Hampshire. In *New Hampshire Provincial Papers*, II. 366.

1702. Royal commission to Edward, Lord Cornbury, governor of New Jersey. In Leaming and Spicer, *Grants and Concessions*, 647. Also in *New Jersey Archives*, II. 489, and in Smith, *History of New Jersey*, 230.

1702. Royal instructions to Edward, Lord Cornbury, governor of New Jersey. In *New Jersey Archives*, II. 506. Also in Smith, *History of New Jersey*, 220; and in Leaming and Spicer, *Grants and Concessions*, 619.

1708. Proprietary commission to Edward Tynte, governor of South and North Carolina. In *North Carolina Colonial Records*, I. 694.

1709. Royal commission to Robert Hunter, governor of New York. In *New York Colonial Documents*, V. 92.

1709. Royal instructions to Robert Hunter, governor of New York. In *New York Colonial Documents*, V. 124. (Draft.)

1712. Proprietary instructions to Edward Hyde, governor of North Carolina. In *North Carolina Colonial Records*, I. 844.

1715. Royal commission to Robert Hunter, governor of New York. In *New York Colonial Documents*, V. 391.

1719. Proprietary instructions to William Keith, governor of Pennsylvania. In *Minutes of the Provincial Council of Pennsylvania*, III. 63.

1720. Royal instructions to Francis Nicholson, governor of South Carolina. In Rivers, *Chapter in the History of South Carolina*, 68.

1727. Royal commission to John Montgomery, governor of New York. In *New York Colonial Documents*, V. 834.

1730. Royal commission to George Burrington, governor of North Carolina. In *North Carolina Colonial Records*, III. 66. (Draft.)

1730. Royal instructions to George Burrington, governor of North Carolina. In *North Carolina Colonial Records*, III. 90.

1738. Royal commission to Lewis Morris, governor of New Jersey. In *New Jersey Archives*, VI. 2. (Draft.)

1738. Royal instructions to Lewis Morris, governor of New Jersey. In *New Jersey Archives*, VI. 15. (Draft.)

1741. Royal commission to George Clinton, governor of New York. In *New York Colonial Documents*, VI. 189.

1753. Royal commission to Sir Danvers Osborne, governor of New York. In Smith, *History of New York*, 297.

1754. Royal instructions to Arthur Dobbs, governor of North Carolina. In *North Carolina Colonial Records*, V. 1107.

1758. Royal commission to Francis Bernard, governor of New Jersey. In *New Jersey Archives*, IX. 23. (Draft.)

1758. Royal instructions to Francis Bernard, governor of New Jersey. In *New Jersey Archives*, IX. 40. (Draft.)

1759. Proprietary commission to James Hamilton, governor of Pennsylvania. In *Minutes of the Provincial Council of Pennsylvania*, VIII. 409.

1760. Royal commission to Benning Wentworth, governor of New Hampshire. In *New Hampshire Provincial Papers*, VI. 908.

1761. Royal commission to Arthur Dobbs, governor of North Carolina. In *North Carolina Colonial Records*, VI. 524.

1766. Royal commission to John Wentworth, governor of New Hampshire. Prefixed to *New Hampshire Province Laws*, ed. 1771.

1771. Royal instructions to John, Earl of Dunmore, governor of Virginia. In Aspinwall Papers, *Massachusetts Historical Society Collections*, fourth series, X. 630.

To the list of civil lists given in the July number an addition may be made, on p. 764 of Vol. II. In No. XVII. of the *Papers of the Historical Society of Delaware*, at pp. 32–34, Judge I. C. Grubb gives a list of the members of the colonial and state judiciary of Delaware, extending throughout its history.

NOTES AND NEWS

Dr. Frederick D. Stone, who for twenty-one years had been librarian of the Pennsylvania Historical Society, and had been a principal agent in promoting the remarkable recent development of that society, died on August 12, aged fifty-six. He had edited the *Pennsylvania Magazine of History and Biography* from its beginning, and had contributed largely to its pages. He wrote chapters on Pennsylvania history in the *Narrative and Critical History of America*, and in collaboration with Professor J. B. McMaster produced *Pennsylvania and the Federal Constitution, 1787–88*. His large stores of learning in Pennsylvania history were freely and with great geniality placed at the service of all who engaged in researches in that field.

Hon. Edward L. Pierce, of Massachusetts, died in Paris on September 7, aged sixty-eight. He was prominent in public life, as a Free Soiler and afterward as a Republican, and held several federal and state offices, chiefly such as were connected with philanthropic objects, such as the care of the freedmen at the close of the Civil War. He wrote one highly important historical work, his *Life and Letters of Charles Sumner*, 4 vols., 1877–1893, a political biography of the first rank.

Dr. J. Hammond Trumbull died in Hartford on August 5. He was born in 1821. Being assistant secretary of state of Connecticut from 1847 to 1852, and from 1858 to 1861, he inaugurated the series of *Colonial Records of Connecticut*, subsequently completed by Dr. C. J. Hoadly, and edited the first volumes. He was for many years president of the Connecticut Historical Society, and wrote many articles on historical subjects. An active founder of the American Philological Association, he was specially noted for his wide learning in respect to the languages of the Indians.

Mr. William Spohn Baker, an eminent authority in respect to the life of Washington, died in Philadelphia on September 8, aged seventy-three. Mr. Baker was a vice-president of the Historical Society of Pennsylviania, and had published much upon the history of engraving. Beside several works on the portraits of Washington, he compiled two important books of reference relating to his career, his *Itinerary of General Washington from 1775 to 1783*, and the continuation mentioned on another page.

Rev. Dr. Abel Stevens, the historian of the Methodist Church, died in California on September 13, at the age of eighty-two. More than half of his active life he spent as an editor of religious papers. His *His-*

tory of the Methodist Episcopal Church in the United States of America, in four volumes, was published in 1864–1867.

General Régis de Trobriand, who was born in France in 1816 and came to this country in 1841, died on July 15. His military title was derived from services in the Civil War, upon which he wrote several well known books, the most important bearing the title *Four Years with the Army of the Potomac.*

Alfred, Ritter von Arneth, died on July 30, aged seventy-eight. For many years he was director of the Austrian archives and, more recently, president of the Academy of Vienna. His fame as a historian rests on nine works relating to Maria Theresa and Marie Antoinette which he published between 1863 and 1877, the most important being his *Geschichte Maria Theresia's*, 4 vols., 1863–1870.

Sir John Skelton, K. C. B., LL.D., vice-president of the Local Government Board for Scotland, died at Edinburgh on July 20, at the age of sixty-six. A distinguished advocate and official, he was also noted for his historical volumes, *The Impeachment of Mary Stuart*, 1876; *Maitland of Lethington and the Scotland of Mary Stuart*, 1887, probably his most important work; and a volume entitled *Mary Stuart* (1893).

Mrs. Margaret Oliphant, novelist and author of *Historical Sketches of the Reign of George II.*, *The Makers of Florence*, *The Makers of Venice*, and *The Makers of Modern Rome*, died at Wimbledon, England, on June 25, at the age of sixty-nine.

Professor A. C. Armstrong, of Wesleyan University, has been appointed to a chair in history in Princeton University.

A Bibliography of the Anthropology and Ethnology of Europe, by Professor William Z. Ripley, of the Massachusetts Institute of Technology, is to apppear shortly in the *Bulletins* of the Boston Public Library. It will include nearly fifteen hundred titles, taken from the original sources. Primarily concerning the physical anthropology of Europe and the allied peoples of Asia and Africa, in which field it aims to be exhaustive, it will contain very complete lists of authorities on pre-historic archæology and historical ethnology. The *Bibliography* will also give references to original cartographical material of various sorts, and will have a full subject-index. Dr. Ripley expects, after appropriate revision, to make up into a book a series of articles on the racial geography of Europe, which he has been contributing to the *Popular Science Monthly*.

The *Quarterly Statement* of the Palestine Exploration Fund for July announces that the excavations at Jerusalem have ceased on account of the expiration of the firman permitting them. Application has been been made to the Porte for leave to undertake excavations elsewhere. A mosaic map of Christian Palestine and Egypt, dating from the fifth century, has recently been discovered at Mâdeba in Moab, and seems likely to be an important historical document.

In the *Nation* for July 1, July 22, July 29, and August 26, Professor J. R. S. Sterrett presents accounts of the history and operations of the schools of archæology at Athens—German, French, American and English.

In the September number of the North American Review Professor Goldwin Smith has an article entitled *Are Our School Histories Anglophobe?*

ANCIENT HISTORY.

The Zunz-Stiftung in Berlin offers a prize of 2500 marks for the best treatise on the history of the Jews in Babylonia. The date for delivery is before July 1, 1899.

A long-expected and important contribution to the architectural portion of Greek archæology is *Das Griechische Theater: Beiträge zur Geschichte des Dionysos-Theaters in Athens und anderer Griechischer Theater*, by Wilhelm Dörpfeld and Emil Reisch (Athens: Barth and Von Hirst; New York: Lemcke and Buechner).

A subject akin to that of one of the articles published in the present issue of the REVIEW is treated by Dr. H. R. Fairclough, in a dissertation on *The Attitude of the Greek Tragedians toward Nature*, a dissertation for the doctor's degree at the Johns Hopkins University.

The Greek inscriptions of Phocis, Locris, Ætolia, Acarnania and the Ionian islands, edited by Wilhelm Dittenberger, are presented in the last issue (Vol. III., fasc. I.) of the *Corpus Inscriptionum Græcarum Græciæ Septentrionalis* (Berlin, G. Reimer, pp. 212).

The Clarendon press has printed a volume of *Sources for Greek History between the Persian and the Peloponnesian Wars*, collected and arranged by Mr. G. F. Hill, of the British Museum.

It is not out of place in a historical review to take notice of so excellent a manual of palæography as the book on *Latin Manuscripts* prepared by Professor Harold W. Johnston, of the University of Indiana (Chicago, Scott, Foresman and Co., pp. 130). Beside dealing with the material characteristics, the transmission, and the preservation of manuscripts, Mr. Johnston takes up the subject of textual criticism. His book is illustrated with excellent fac-similes.

Dr. Hermann Peter has lately published, in two volumes (Leipzig, B. G. Teubner, pp. 478, 410), *Die geschichtliche Literatur über die römische Kaiserzeit bis Theodosius I. und ihre Quellen.* The book is one of great importance, discussing fully the development of Roman historiography, imperial and senatorial, pagan and Christian.

The third volume of Professor Bury's new edition of Gibbon's *Decline and Fall* (London, Methuen and Co.; New York, Macmillan) contains in its appendix several learned dissertations relating, for instance, to the Picts and Scots, the origin of the Huns, the libraries of Alexandria, and Alaric.

Noteworthy articles in periodicals: A. J. Delattre, *Les dernières Découvertes aux Pays Bibliques* (Revue des Questions Historiques, July); C. F. Aiken, *The Avesta and the Bible* (Catholic University Bulletin, July); J. Beloch, *Zur Bevölkerungsgeschichte des Alterthums* (Jahrbücher fur Nationalökonomie, LXVIII. 3); U. Köhler, *Probleme der Vorgeschichte Griechenlands* (Sitzungsberichte der k. Preuss. Akademie der Wiss., 1897, Stück 14); J. Beloch, *Zur griechischen Vorgeschichte* (Historische Zeitschrift, LXXIX. 2).

EARLY CHURCH HISTORY.

After long preparation, the Prussian Academy has now begun to publish its series *Die griechischen christlichen Schriftsteller der ersten drei Jahrhunderte*. It is expected that about three volumes will be issued each year, and that the whole series will consist of about fifty volumes. It will include not only the Fathers, but also the text of early Christian documents in Greek, such as the acts of the martyrs, etc. The first issue is the first volume of the works of Hippolytus, ed. Bonwetsch and Achelis (Leipzig, J. C. Hinrichs). While the work is going on the same committee of the Academy will publish a periodical *Archiv für die älteren christlichen Schriftsteller*, a new series, virtually, of Gebhardt and Harnack's *Texte und Untersuchungen*.

The Vienna editors of the *Corpus Scriptorum Ecclesiasticorum Latinorum* have brought out, as Vol. XXVII., fasc. II., the treatise *De Mortibus Persecutorum* of Cæcilius, attributed to Lactantius.

Mr. Papadopoulos-Kerameus has now brought out at St. Petersburg, at the cost of the imperial government, the third volume of his *Ἱεροσολυμιτικὴ Βιβλιοθήκη*, or catalogue of the Greek manuscripts in the library of the patriarch of Jerusalem (pp. 440).

In the series of *Translations and Reprints from the original Sources of European History*, published by the historical department of the University of Pennsylvania, Volume I., No. 4, relates to the early Christian persecutions. It contains a number of extracts from Christian and pagan writers respecting the persecutions by the various emperors, the longest extract being the account from Eusebius of "The Persecution at Lyons and Vienna" (why not Vienne?)

M. Paul Bedjan has just published in Paris (pp. 598) an editio princeps of the Syriac version of the ecclesiastical history of Eusebius, *Eusèbe de Césarée, Histoire Ecclésiastique*.

MEDIEVAL HISTORY.

The new edition, undertaken by the Berlin Academy, of the *Corpus Scriptorum Historiæ Byzantinæ* is now completed, the fiftieth and last volume having been finished by the edition of Zonaras, *Epitome*, Tom. III., ed. Theodor Büttner-Wobst (Bonn, E. Weber, pp. 933).

Messrs. Methuen and Co. are about to begin a series under the title of *Methuen's Byzantine Texts*, under the general editorship of Professor

J. B. Bury. The first volume will be Evagrius, edited by Professor Léon Parmentier and M. Bidez.

The Palestine Exploration Fund have issued an English translation of the *Life of Saladin* by Beha ed-din (or Bohadin) (pp. 440).

Father Conrad Eubel, Franciscan, papal penitentiary in Rome, will shortly publish (Münster, Regensberg) the first volume of an important work of reference: *Hierarchia Catholica Medii Ævi*, containing as complete data as possible regarding all elections of popes and nominations of cardinals and bishops, from the time of Innocent III. to about 1550. The work is based on researches in the Vatican archives, and will consist of two volumes.

In the transactions of the Royal Academy of Belgium, Professor Paul Fredericq has published an exhaustive essay on the dancing mania of the fourteenth century.

Dr. George C. Keidel has brought out (Baltimore, The Freidenwald Co., pp. 76) the first fascicule of *A Manual of Esopic Fable Literature, for the period ending A. D. 1500*, in which 178 incunabula are catalogued with extreme bibliographical minuteness.

Noteworthy articles in periodicals: J. B. Bury, *The Turks in the Sixth Century* (English Historical Review, July); Georg Grupp, *Die Anfänge der Geldwirtschaft* (Zeitschrift für Kulturgeschichte, IV. 4, 5); J. Guiraud, *Saint Dominique et la Fondation du Monastère de Prouille* (Revue Historique, July).

MODERN EUROPEAN HISTORY.

In the Macmillan Co.'s series of *Periods of European History*, the volume covering the period from 1494 to 1598, by Mr. A. H. Johnson, has just been issued.

The institute of the Görres Gesellschaft in Rome has made plans for the publication of a new edition of the acts of the Council of Trent, *Concilii Tridentini Monumentorum quae extant Collectio Nova*. Provision has been made for the editing of the earlier portions by Drs. Ehses, Merkle, Hoffman and Domarus respectively.

The ninth volume of the *Transactions* of the Royal Historical Society contained, as was mentioned in these pages, a translation of that portion of the journal of Lupold von Wedel which related to his journey through England and Scotland made in 1584 and 1585. The whole of his journal, comprising, beside the above, his account of his travels in Hungary, Palestine, Egypt, Spain, Portugal and France (1572 to 1593), together with some narratives of military service, has now been printed as the forty-fifth volume of *Baltische Studien*.

M. Albert Malet's *Histoire Diplomatique de l'Europe aux XVII^e^ et XVIII^e^ Siècles* (Paris, Dentu) consists of the lectures on this subject which he gave to King Alexander of Servia.

An interesting year of European history (October 1740–October 1741) is covered by Antonio Matscheg's *Storia Politica di Europa dal cominciare del Regno di Maria Teresa allo Sciogliersi della Convenzione di Kleinschnellendorf, studiata sui Dispacci dei veneti Ambasciatori nell' Archivio di Stato à Venezia in connessione colle altre fonti* (Belluno, Deliberali, pp. 548).

Dr. Wilhelm Altmann continues his collections of constitutional documents for the use of students by a volume of *Ausgewählte Urkunden zur ausserdeutschen Verfassungsgeschichte seit 1776* (Berlin, R. Gärtner, pp. 278.)

We ought before this to have mentioned Commandant Palat's *Bibliographie générale de la Guerre de 1870–1871* (Paris, Berger-Levrault, pp. 600).

Professor Otto Henne-am Rhyn's *Allgemeine Kulturgeschichte von der Urzeit bis auf die Gegenwart* is now completed by the publication of its seventh volume, treating of the period from the foundation of the German Empire to the present day (Leipzig, O. Wigand, pp. 609).

GREAT BRITAIN.

The *Proceedings* of the Geographical Society for the session of June 17 contains a paper by Professor F. York Powell, advocating the establishment in England of a school similar to the École des Chartes at Paris.

The recent historical publications of the British Government include Vol. III. (1342–1362) of the *Calendar of Entries in the Papal Registers relating to Great Britain and Ireland*, and Vol. XV. (1587–1588) of the *Acts of the Privy Council of England*, edited by Mr. J. R. Dasent.

Professor Goldwin Smith is expected shortly to issue through the Macmillan Co. his *Political History of England* (two vols.).

The Clarendon Press has begun the issue of the sixth edition of Bishop Stubbs's *Constitutional History of England.* Vol. I. has now appeared.

The Royal Navy: a history from the earliest times to the present, in five volumes, the elaborate and comprehensive work which various authors are preparing under the editorial care of Mr. W. Laird Clowes, and of which the first volume, embracing the period to A. D. 1600, has now appeared, is in America issued by Messrs. Little, Brown and Co.

Mr. T. Fisher Unwin proposes to issue a series of volumes under the general title of *Builders of Greater Britain*, under the editorial supervision of Mr. H. F. Wilson, legal adviser to the Colonial Office. The first eight volumes include biographies of Sir Walter Raleigh, by Major Martin A. S. Hume; Sir Thomas Maitland, by Walter Frewen Lord; John Cabot and his sons, by Sir A. J. Arbuthnot; Edward Gibbon Wakefield, by R. Garnett; Rajah Brooke, by Sir Spenser St. John; Ad-

miral Philip, by Louis Becke and Walter Jeffrey; Sir Stamford Raffles, by the editor.

Part IV. of the appendix to the *Fifteenth Report of the Historical Manuscripts Commission* constitutes Vol. IV. of the Commission's calendar of the manuscripts of the Duke of Portland preserved at Welbeck Abbey.

The corporation of Bristol have arranged for the preparation and issue of a calendar of their records, to be edited by Mr. Francis B. Bickley, of the British Museum.

The *Records of the Borough of Northampton*, which are being edited by Mr. Christopher Markham and Dr. I. Charles Cox, for the corporation, will shortly be ready for issue. There will be two volumes; the first containing extracts from the Domesday Book, the charters, and the Liber Custumarum; the second based mainly on the Orders of Assembly and more modern records.

The fourth volume in Messrs. Ginn's Library of Anglo-Saxon Poetry is *Maldon and Brunnanburh*, edited by Professor C. L. Crow, of Weatherford College, Texas.

The Clarendon Press has published in two volumes the *Opus Majus* of Roger Bacon, edited by Mr. John Henry Bridges, fellow of the Royal College of Physicians.

Professor T. F. Tout is editing for the Royal Historical Society the records of the great judicial scandal of 1289–1290 in which most of the English judges and royal ministers were implicated and which led to the disgrace of the great chief-justice R. de Hengham, with his colleague T. de Weyland and many others. These records, which were discovered about four or five years ago by the director of the society, Mr. Hubert Hall, will throw much new light on the period covered by Bishop Stubbs's *Chronicles of Edward I. and II.* (Rolls Series). They will also necessitate an entire revision of the biographies of the great justices concerned, as given in Foss and other standard authorities.

The Cambridge University Press has issued Vol. 2 of the *Statutes of Lincoln Cathedral*, arranged by the late Henry Bradshaw, and now edited by Mr. Christopher Wordsworth. This volume contains statutes earlier and later than those in the Black Book, the Novum Registrum, and documents from other churches of the late foundation.

Messrs. Simpkin, Marshall and Co. publish a volume of *Documents relating to the History of the Cathedral Church of Winchester in the Seventeenth Century*, edited by the dean, Dr. W. R. W. Stephens, and Dr. F. T. Madge.

The foundation-stone of the Cabot Memorial Tower on Brandon Hill, Bristol, was laid on June 24, by the Marquis of Dufferin and Ava, who read a copy of a hitherto unknown entry relating to Cabot, recently found among the muniments of the chapter-house at Westminster.

Under the title of *The People for whom Shakespeare Wrote*, Dr. Charles Dudley Warner has published a series of essays on the daily life

of the people of the Elizabethan age, based upon accounts given by contemporary Englishmen and by foreigners who visited England in the reign of Queen Elizabeth (Harper, pp. 187).

Professor S. R. Gardiner has printed under the title *What Gunpowder Plot Was* (Longmans, pp. 216) a reply to Father Gerard's essay *What Was the Gunpowder Plot?* The volume contains several plans of the palace of Westminster and the Houses of Parliament illustrating the events. The second volume of Professor Gardiner's *History of the Commonwealth and Protectorate* is to be expected this autumn.

Mr. W. Foster, of the India Office, is preparing a new edition of Sir Thomas Roe's journal of his mission to India, 1615-1619, in which much fresh material will be incorporated. A life of Sir Thomas Roe, by Mr. Stanley Lane-Poole of the British Museum, is also to be published.

Messrs. Swan, Sonnenschein and Co. expect to publish this autumn Mr. B. B. Turner's volume of *Chronicles of the Bank of England*, illustrated with reproductions of various old maps, and with other pictures.

Mr. Henry Farrar's *Index to Marriages in the Gentlemen's Magazine*, of which the first part covered the years from 1731 to 1780, is to be continued in four volumes extending from 1781 to 1868. The edition is limited to 250 copies. The publishers will be Messrs. Swan, Sonnenschein and Co.

The sixth and last volume of *Social England*, edited by Mr. H. D. Traill, covers the period from 1815 to 1885. It includes accounts of the literary history of the century, by the editor; of the history of agriculture, arts, sciences and industrial development.

The late Sir John Henry Briggs, Reader to the Lords and Chief Clerk to the Admiralty, left behind him the manuscript of an important and highly interesting book, which has now been brought out by Messrs. Sampson, Low, Marston and Co., under the editorial care of Lady Briggs. It is entitled *Naval Administrations, 1827–1892, the Experiences of 65 years, from the Accession of H. R. H. the Duke of Clarence as Lord High Admiral to the End of the Administration of Lord George Hamilton.*

Noteworthy articles in periodicals: J. H. Round, *La Bataille de Hastings* (Revue Historique, September); J. E. Morris, *The Archers at Crecy* (English Historical Review, July); M. Sellers, *York in the Sixteenth and Seventeenth Centuries* (English Historical Review, July); B. Williams, *The Duke of Newcastle and the Election of 1734* (English Historical Review, July); *Unpublished Letters of George Canning* (Quarterly Review, July); W. J. Ashley, *The Tory Origin of Free Trade Policy* (Quarterly Journal of Economics, July).

FRANCE.

M. Gaston Paris has prepared for Vol. XXXII. of the *Histoire Littéraire de la France* (separate, pp. 171) an authoritative treatise on *Jean, sire de Joinville.*

In the series of "Tudor Translations" edited by Mr. W. E. Henley, the latest issue is the *Historie of Philip de Commines, Knight, lord of Argenton*, Englished by Thomas Danett, 1596.

In the series of *Ordonnances des Rois de France*, the Academy of Moral and Political Sciences has published Vol. VII. of its *Catalogue des Actes de François I^er^*, containing over six thousand acts.

Baron de Ruble's *Jeanne d'Albret et la Guerre Civile*, Vol. I. (Paris, Paul et Guillemin, pp. 475), extends from the opening of hostilities to the peace of Amboise, March, 1563, and is a continuation of his *Antoine de Bourbon et Jeanne d'Albret.*

M. Paul Masson's *Histoire du Commerce Français dans le Levant au XVII^e^ Siècle* (Paris, Hachette, pp. 553) is an essay of much importance in economic history, based on careful researches, especially in the archives of the chamber of commerce at Marseilles.

Mr. James Breck Perkins's *France under Louis XV.* is announced for publication this autumn by Messrs. Houghton, Mifflin and Co.

M. P. de Nolhac has followed his *La Reine Marie-Antoinette* with a volume, admirable in contents and beautifully illustrated, on *La Dauphine Marie-Antoinette* (Paris, Boussod et Valadon).

The *Memoirs* of Bertrand Barère, chairman of the Committee of Safety during the Revolution, now appears for the first time in an English translation (London, H. S. Nichols, four vols.), executed by Mr. De V. Payen-Payne.

M. Léon Lecestre has undertaken to publish the inedited letters of Napoleon between 1799 and 1815, *Lettres inédites de Napoléon I^er^* (Paris, Plon, Nourrit et Cie.). These two volumes are of great interest, since most of the letters omitted from the *Correspondance de Napoléon I^er^*, officially published by Napoleon III., were so omitted because deemed likely to compromise the fame of the Emperor or of those who surrounded him. An English translation by Lady Mary Loyd, entitled *The Suppressed Letters of Napoleon*, is to be brought out by Messrs. D. Appleton and Co.

Under the title *Le Régistre de l'Ile d'Elbe; Letters et Ordres inédites de Napoléon I^er^, 28 mai 1814–22 fevrier 1815* (Paris, Fontemoing, pp. 310), M. Léon G. Pélissier publishes, from a copy of the imperial secretary's letter-book preserved in the library of Carcassonne, a large number of letters written during the residence in Elba, and often highly characteristic.

The *Revue Bleue* began in May the serial publication (in French) of the official reports of the Russian representative at St. Helena, Ramsay de Balmain, which are said to be more valuable than the French and Austrian.

M. Henri Welschinger's *Le Roi de Rome*, 1811–1832 (Paris, Plon, pp. 493), is perhaps the most careful and complete study of its subject

that has yet been made. M. Welschinger complains in the *Revue Historique* that documents in the archives of Vienna which were, it seems, placed at the disposal of Wertheimer, were concealed from him.

The opening of the archives of the French Foreign Office down to 1830 has given opportunity for the preparation of M. Léon de Crouzas-Crétet's *Le Duc de Richelieu en Russie et en France*, 1766–1822 (Paris, Firmin-Didot, pp. 512), a study at once of the emigration and of the Restoration.

In a book entitled *M. Thiers, le Comte de St. Vallier, le Général de Manteuffel; Libération du Territoire* (1871–1873) and published by MM. Armand Colin and Co., M. Henri Doniol has gathered together a mass of unpublished documents on the episode in question, especially having use of the daily correspondence of Thiers with the French plenipotentiary, M. de St. Vallier.

Noteworthy article in periodicals: H. Hauser, *De l'Humanisme et de la Réforme en France*, 1512–1552 (Revue Historique, July); M. Sepet, *Le Théâtre en France avant Corneille* (Revue des Questions Historiques, July); H. Vast, *Les Tentatives de Louis XIV. pour arriver à l'Empire* (Revue Historique, September); Comte d'Haussonville, *Le Mariage de la Duchesse de Bourgogne* (Revue des Deux Mondes, June 1); H. Sée, *Les Idées politiques de Diderot* (Revue Historique, September); C. H. Lincoln, *Rousseau and the French Revolution* (Annals of the American Academy of Political Science, July); F. Aulard, *La Séparation de l'Église et de l'État*, 1794–1802 (Revue de Paris, May 1); A. Sorel, *L'Europe et le Directoire* (Revue des Deux Mondes, July 15); E. Welvert, *Les Conventionnels régicides après la Révolution* (Revue Historique, July); A. de Ganniers, *La Campagne de Russie* (Revue des Questions Historiques, July).

ITALY, SPAIN.

Le Bibliographe Moderne, No. 2, March–April, contains the text of the new regulations made by the Italian government for archivists of the archives of state.

The first number of the *Archivio Storico Italiano* for 1897 contains a general list, by M. Léon G. Pélissier, of French publications relating to the history of Italy, published 1894–1896.

An important study of the constitution of Florence is to be found in Fasc. 31 of Sig. A. Gherardi's *Consulte della Repubblica Florentina*, this number being the Introduction to the series.

Professor Eugenio Musatti has brought out a general political history of Venice, extending down to the extinction of the republic, under the title *La Storia Politica di Venezia secondo le ultime Ricerche* (Padua, fratelli Gallina, pp. 511).

The National Historical Archives of Madrid have recently acquired 9300 portfolios of manuscripts which have come down from the military orders of Santiago, Alcántara and Calatrava; a large number of portfo-

lios and volumes from the archives of the University of Alcalá de Henares; all the papers of the old University of Siguënza; and the entire contents of the suppressed Archivio Historico of Toledo. The archives are henceforth to be open from 8:30 a. m. to 4:30 p. m.

Señor Julian Ribera, professor in the University of Saragossa, is about to publish an original contribution to the history of the origin of the judicial system of Aragon, under the title *El Justicia de Aragón y la Organizacion Jurídica de los Musulmanes Españoles.* The text, with omission of the notes, is to appear in the *Revista Crítica de Historia y Literatura,* and the first installment is presented in the May–June number.

A portion of the early financial history of Spain is illustrated by two monographs of identical title by R. Sanchez de Ocaña and Jeronimo Lopez de Ayala respectively: *Contribuciones é Impuestos en Leon y Castilla durante la Edad Media,* both of which have been crowned by the Academy of Moral and Political Sciences.

M. G. Desdevises du Dezert has published the first volume of a careful study of Spain at the end of the last century, which should be of interest to American readers: *L'Espagne de l'Ancien Régime; La Société* (Paris, Lecène et Oudin, pp. 294).

GERMANY, AUSTRIA, SWITZERLAND.

The Prussian Historical Institute in Rome has begun the periodical publication of *Quellen und Forschungen aus italienischen Archiven und Bibliotheken* (semi-annual, Rome, E. Loescher).

The latest addition to the *Monumenta Germaniæ Historica* is Tom. III. of the *Libelli de Lite Imperatorum et Pontificum sæculis XI. et XII. conscripti* (Hannover, Hahn, pp. 775).

The Historical Commission connected with the Bavarian Academy has published Abth. I., Bd. I., of the *Hanserecesse,* 1256–1430 (Leipzig, Duncker und Humblot, pp. 832). A recent book of considerable interest in the same field is Dr. E. R. Daenell's *Geschichte der deutschen Hanse in der zweiten Hälfte des 14. Jahrhunderts* (Leipzig, B. G. Teubner).

The years 1425–1433 are covered by the latest instalment (Bd. II., Lief. I., pp. 1–240) of the *Regesta Imperii XI. Die Urkunden Kaiser Sigmunds,* edited by Dr. Wilhelm Altmann.

Professor Anton Weiss's *Æneas Sylvius Piccolomini als Papst Pius II., sein Leben und Einfluss auf die literarische Cultur Deutschlands* (Graz, U. Moser, pp. 297) is his inaugural address as rector of the University of Graz, supplemented by 149 hitherto unprinted letters of the pope, from a manuscript in the Hof-bibliothek in Vienna.

The sixth and seventh volumes of the translation of Sybel's *Founding of the German Empire* are shortly to be published by Messrs. T. Y. Crowell and Co.

An archæological institute at Vienna, with the objects usual to governmental establishments of the sort, has been organized by the Austrian government.

Vol. VI. of the Swiss government's *Amtliche Sammlung der Acten aus der Zeit der helvetischen Republik*, ed. Johannes Strickler, extends from August, 1800, to May, 1801 (Basel, A. Geering, pp. 983).

Noteworthy articles in periodicals: W. Schultze, *Principat, Comitat, Nobilität im 13. Kapitel der Germania des Tacitus* (Deutsche Zeitschrift für Geschichtswissenschaft, N. F. II., Viert. 1.); R. Schröder, *Neuere Forschungen zur fränkischen Rechtsgeschichte*, II. (Historische Zeitschrift, LXXIX. 2); M. Ritter, *Die pfälzische Politik und die böhmische Königswahl 1619* (Historische Zeitschrift, LXXXIX. 2); G. Küntzel, *Der Vertrag von Westminster, 1756* (Forschungen zur brandenb. und preuss. Geschichte, IX. 2).

NETHERLANDS AND BELGIUM.

A book having a certain interest for students of the foreign connections of the American Revolution, as well as great interest for students of Dutch history, is Mr. Colenbrander's *De Patriottentyd*, based on careful studies in Dutch and other archives. The first volume treats of the period from 1776 to 1784; the second will pursue the narrative to 1787.

In the *Revue Historique* of September-October Professor Eugène Hubert presents the first installment of a general review of Belgian historical publications of the years 1886–1896.

NORTHERN AND EASTERN EUROPE.

Dr. Ernst Bonnell has published the second and concluding volume of his *Beiträge zur Alterthumskunde Russlands* (St. Petersburg, Eggers, pp. 505–1104). The two volumes extend from the earliest times to about 400 A. D., and are based chiefly on the Greek and Roman writers.

The University of Christiania has published the first fasciculus (text, pp. 148) of *Rerum Normannicarum Fontes Arabici*, drawn from printed and manuscript books and edited by Professor Alexander Seippel.

The successors of J. G. Cotta, at Stuttgart, have brought out the third volume of the reminiscences of King Charles of Rumania, *Aus dem Leben König Karls v. Rumänien*; *Aufzeichnungen eines Augenzeugen* (pp. 502).

AMERICA.

The Historical Manuscripts Commission connected with the American Historical Association expect to present in their next report a list, supplementary to those now in print, of manuscript historical materials in American public or society libraries; also continuations of the letters of Phineas Bond to the British Foreign Office and of the Genet-Clark correspondence, of both of which the first instalments appeared in their first report, which is now passing through the press.

Messrs. Houghton, Mifflin and Co. announce for this autumn Mr. John Fiske's *Old Virginia and her Neighbors*, two volumes; Mr. Justin Winsor's *The Westward Movement; the Struggle for the Allegheny Re-*

gion, 1763–1797; *Colonial Mobile*, by Mr. Peter J. Hamilton; and the *Life and Times of Edward Bass, first Bishop of Massachusetts* (1726 to 1803), by Daniel D. Addison.

The Macmillan Co. have announced a series of volumes under the general title of "Stories from American History." The volumes now in preparation are: *Spanish Discovery and Conquest*, by Miss Grace King; *The War of 1812*, by Mr. James Barnes; *California History and Explorations*, by Mr. Charles H. Shinn; *Stories of American Pirates*, by Mr. Frank R. Stockton; *Tales of the Enchanted Isles of America*, by Col. Thomas Wentworth Higginson; and *The Active Life of a Confederate Soldier*, by Mr. George Cary Eggleston. The same publishers announce a *Student's History of the United States*, by Professor Edward Channing, of Harvard University.

Mr. George Parker Winship has printed in a small number of copies an admirably complete and scholarly *Cabot Bibliography*, originally published in the *Bulletin* of the Providence Public Library. The bibliography embraces both the original sources and later authors, and is carefully annotated.

The *Nation* of September 23d contains, on p. 242, a list of manuscripts relating to America found among the Clarendon manuscripts at the Bodleian Library, calendared by Mr. Falconer Madan.

Messrs. G. P. Putnam's Sons have announced that their series of "Writings of the Fathers of the Republic" will be continued by the addition of *The Writings of Samuel Adams*, now for the first time issued in collected form, to be edited by Dr. Harry Alonzo Cushing, of Columbia University. The first volume will not appear until late in 1898, and the early preliminary announcement will make possible the fullest coöperation of those persons who may have knowledge even of single manuscripts or prints bearing upon the subject. We are assured that any such assistance will be thoroughly appreciated. A large part of the matter already secured consists of material hitherto unpublished.

The Preston and Rounds Company of Providence, R. I., announce for early publication *The Diary of Colonel Israel Angell*, of the Continental Line, a diary extending from 1778 to 1781.

Mr. B. F. Stevens announces that the twenty-fifth volume, completing his series of fac-similes of *Documents relating to America*, will be exclusively devoted to an elaborate index, presenting a chronological list, an alphabetical index of writers and a subject-index.

Mr. Worthington C. Ford publishes under the title of *British Officers serving in the American Revolution*, 1774 to 1783 (Dodd, Mead and Co.), a continuation of the similar list for the years 1754 to 1774, which he formerly published. This new list has been compiled from the army lists and from official registers and is, like the former one, arranged alphabetically.

The Macmillan Co. will publish this autumn *The Battle of Harlem Heights, September 16, 1776*, with a review of the events of the campaign, by Professor Henry P. Johnston, of the College of the City of New York. The book is one of the publications of the Columbia University Press, and will have illustrations from photographic views and plans.

The latest addition to the series of "Women of Colonial and Revolutionary Times" is Miss Anne Hollingsworth Wharton's *Martha Washington* (Scribner).

Messrs. Henry Holt and Co. announce a new edition of the *Federalist*, edited by Mr. Paul L. Ford. Pains have been taken to supply it with explanatory annotations and with notes pointing out the results of subsequent experience. Beside an introduction and an index, the new edition will have an appendix of constitutional documents, from the Declaration of Independence to the act creating the Electoral Commission.

The Brooklyn Historical Club has reprinted in a hundred copies the series of letters bearing on the relations of Jefferson and J. T. Callender, which Mr. Worthington C. Ford has been printing in the *New England Historical and Genealogical Register*.

Mr. C. M. Burton, of Detroit, Mich., of whose library an account was presented in a former issue of this REVIEW, possesses the orderly book of General James Winchester, compiled on that northern winter campaign which terminated at Frenchtown in January, 1813. The book was doubtless taken, at the time of the battle, by some French residents, and was preserved in their families. Mr. Burton desires to put this orderly book into print with proper annotations, provided he can obtain a sufficient number of subscriptions at the price of one dollar and a half.

The Old South Lectures maintained at Boston during the past summer related to the anti-slavery struggle. Among the *Old South Leaflets* published in connection with the series of lectures, one gives the text of the first number of the *Liberator*, another the eulogy delivered by Wendell Phillips at the funeral of Garrison in 1879. Bradford's *Dialogues* have also been added to the series, and Cotton Mather's lives of Bradford and Winthrop.

An important and interesting contribution to the history of the anti-slavery movement is presented by the life of *Abby Hopper Gibbons*, daughter of Isaac T. Hopper. The narrative is told chiefly from her correspondence, edited by her daughter, Mrs. Sarah Hopper Emerson, and is published in two volumes by Messrs. G. P. Putnam's Sons.

Mr. Henley T. Jones, bookseller in Williamsburgh, Virginia, announces a third volume of President L. G. Tyler's *Letters and Times of the Tylers*. This volume, of 234 pages, consists chiefly of letters extracted from the correspondence of Thomas Newton, M. C. from 1801 to 1831, Henry A. Wise, Robert J. Walker, James K. Polk, Cave Johnson, and Caleb Cushing, and illustrates chiefly the period from 1837 to 1845.

Mr. Richardson's official edition of the *Messages and Papers of the Presidents* has now been brought down to the opening of the Civil War. Vol. IV. covers the period from 1841 to 1849, Vol. V. that from 1849 to 1861.

General John M. Schofield's *Forty-Six Years in the Army* will shortly be published by the Century Co.

Series I. of the *Records of the Rebellion*, published by the government of the United States, has now reached its completion. The work has been in progress for twenty-three years, and has cost about two million dollars. The volumes now published number 111, not including an atlas and two volumes of supplementary indexes. The records of the two armies are now completed. Series II., III. and IV., relating to prisoners of war and the relations of the two governments to their states, will make only about 22 volumes. After their completion the War Department expects to go on and publish the records of the Revolutionary War and the War of 1812, in so far as they are in the possession of the government.

Messrs. Henry T. Coates and Company, of Philadelphia, announce for publication this autumn a *Life of General George Gordon Meade, Commander of the Army of the Potomac*, by Lieutenant Richard Meade Bache, with three photogravure portraits and twenty maps and plans.

A monograph of the *Battle of Franklin*, by General Jacob D. Cox, is issued by Charles Scribner's Sons.

Miss C. Alice Baker has published, after elaborate investigations in New England and in Canada, a volume of *True Stories of New England Captives* (Cambridge, Mass., the Author, pp. 407) carried off to Canada during the old French and Indian Wars. Her studies of this interesting episode in colonial history are curious and valuable.

The *Year Book* of the Massachusetts Society of Colonial Wars contains the address of Abner C. Goodell, Jr., at the celebration of the 600th anniversary of the English Parliament of 1295, the muster-rolls and a journal of the expedition against Port Royal in 1710, and a list of English prisoners in Canada at the same time.

Vol. IX. of the sixth series of the *Collections* of the Massachusetts Historical Society consists of an instalment of the Bowdoin and Temple papers, chiefly letters between James Bowdoin and his son-in-law, John (afterwards Sir John) Temple.

A Memoir of Robert C. Winthrop (1809–1894), prepared for the Massachusetts Historical Society by R. C. Winthrop, Jr., is published by Messrs. Little, Brown and Co.

In the July number of the *Publications* of the Rhode Island Historical Society the most important portion of the contents consists of an address on "Civil Changes in the State," delivered by the president of the society, Hon. John H. Stiness, at its seventy-fifth anniversary.

The October number of the same society's *Publications* has for its principal contents an interesting and valuable document compiled during the War of 1812 by a clerk in the Providence post-office. It contains a list of 136 American privateers, with their respective captains, guns and men, and a list of 446 British vessels captured by the Americans, with a description of each chiefly relating to its value and characteristics as a prize.

The last issue in the second series of *Rhode Island Historical Tracts* (Number V.) is a paper by the editor and publisher of the series, Mr. Sidney S. Rider, entitled *Soul Liberty—Rhode Island's Gift to the Nation; an inquiry concerning the validity of the claims made by Roman Catholics that Maryland was settled upon that basis before Rhode Island.*

The Connecticut Historical Society has published the sixth volume of its *Collections*, comprising the town records of Hartford, Vol. I., 1635–1716. Those of Fairfield, 1649–1698, are to be printed by the town. The Society's seventh volume will consist entirely of documents relating to the first years of the Revolution—an orderly book and eight diaries or journals kept by persons quite various in position, officers, privates, a chaplain, a teamster. The Society has lately acquired, by gift from Miss Helen E. Smith, of New York, the correspondence and papers of John Cotton Smith, governor of Connecticut from 1813 to 1817. The correspondence includes about 1750 letters, and is an acquisition of the greatest value, especially for the period of the War of 1812. The Society's *Annual Report* contains a body of historical notes on the probate districts of Connecticut.

The Helman-Taylor Company, of Cleveland, Ohio, announce a volume on *The Pequot War*, made up of reprints of the contemporary accounts of Captain John Mason, Captain John Underhill, P. Vincent and Lion Gardiner, etc., with notes and an introduction by Charles Orr.

In Nos. 6, 7, 8 and 9 of the *Bulletin* of the New York Public Library the editor continues his calendar of the manuscripts in the Emmet collection relating to the members of the Continental Congress. He also presents in the June issue (No. 6) Meshech Weare's plan for colonial union, apparently drawn up in 1754; in that of July, certain papers of Smyth, of Nibley, relating to Virginia, 1613–1674; in the August number a beginning is made of the publication of a series of 237 copy-press letters of Washington, purchased by the Lenox Library in 1895. The letters here presented are mostly of the year 1794. No. 9 contains an interesting letter of Franklin to a Boston committee, relating to the Boston Tea Party.

Of the *Records of New Amsterdam from 1653 to 1674*, published by the city of New York and edited by Mr. Berthold Fernow, three handsome volumes have now been brought out. The first (pp. 421) contains the minutes of the court of burgomasters and schepens, 1653–1655, preceded by the ordinances of New Amsterdam from 1647 to 1661.

The second volume (pp. 429) continues the records of the court to August, 1658; Vol. III. to the end of 1661.

The latest issues of the *Half Moon Series* (G. P. Putnam's Sons) are The Fourteen Miles Round, by A. B. and M. M. Mason, and Fort Amsterdam in the Days of the Dutch, by Mrs. Maud Wilder Goodwin. The first twelve issues can now be obtained as a bound volume.

Messrs. G. P. Putnam's Sons have brought out the *Journals of John Lincklaen*, narrating his travels in the years 1791 and 1792 in Pennsylvania, New York and Vermont, with a biographical sketch and notes by Mrs. Helen Lincklaen Fairchild.

The July number of the *Pennsylvania Magazine of History and Biography* contains the first instalment of an elaborate and valuable treatise on the journals and papers of the Continental Congress, by Dr. Herbert Friedenwald, and an article by Lieut. R. M. Bache on the so-called "Franklin Prayer-Book." The number also contains a recently discovered letter of Justus Falckner, of Germantown, concerning the religious condition of Pennsylvania in 1701; and the continuation of Mr. Howard M. Jenkins's articles on the family of William Penn. Mr. W. S. Baker's itinerary of Washington is continued through the year 1797, and half way through the year 1798. This latter series, which thus approaches completion, will soon be issued as a volume, a companion to Mr. Baker's useful *Itinerary of General Washington, 1775–1783*.

The October number of the same journal contains the concluding portion of Mr. W. S. Baker's "Washington after the Revolution," and continuations of the contributions by Mr. Jenkins and Dr. Friedenwald mentioned above. It also contains brief memorials of Dr. Stone and Mr. Baker, whose death we have noticed on another page. The chief new piece in the number is the text of a dairy kept at Valley Forge, November 10, 1777 to January 8, 1778, by Dr. Albigence Waldo, a surgeon of the First Connecticut Infantry Regiment of the Line; a diary abounding in interesting details. This is accompanied by a reproduction of a map of the Revolutionary camp-ground at Valley Forge, prepared by the State commission created with a view to making the tract a public park. The map shows natural features, military lines, and the boundaries of former and present owners.

The Colonial Society of Pennsylvania proposes to re-publish in facsimile *The American Weekly Mercury*, from its inception in 1719 to its last issue in 1752. An index will be added. The edition will be limited to 250 copies, and the price will be $7.50 a volume.

Mr. W. M. Meigs, of the Philadelphia bar, will issue this fall (Philadelphia, J. B. Lippincott Co.) a *Life of Charles Jared Ingersoll*.

We have received from Franklin and Marshall College the first part of its *Obituary Record* (pp. 245), presenting the biography of 219 deceased alumni of Marshall College (founded in 1835), and of Franklin and Marshall College, since the union achieved in 1853.

In the fifteenth series of the *Johns Hopkins Studies*, No. VI., by Mr. C. P. Neill, is entitled Daniel Raymond; an early chapter in the history of economic theory in the United States. Raymond was a Baltimore lawyer who, in 1820, published a treatise on political economy, the first systematic treatise on economics from the pen of an American showing the influence of American conditions. No. VII.–VIII. is an account of the economic history of the Baltimore and Ohio Railroad, 1827 to 1853, by Dr. Milton Reizenstein.

Dr. Alexander Brown, author of *The Genesis of the United States*, now proposes the issue of a second book in one volume (Houghton, Mifflin and Co.) under the title of *The First Republic in America*. The work relates to the entire movement for colonizing America during the years from 1605 to 1627, with especial reference to the work of the Virginia Company. For the period ending 1616 the new volume will present such documents as Mr. Brown has discovered since the issue of the former work. For the years from 1617 to 1627 it will not consist so largely of documentary material as did that work, but will take the form of a narrative founded securely upon documentary evidence.

The July number of the *Virginia Magazine of History and Biography* presents in this issue (we must say with too little indication of the history and derivation of the manuscripts) a large amount of valuable unprinted matter respecting the earlier portion of the colonial history of Virginia. The chief topics of the papers now published are the boundary line proceedings of 1710, the decisions of the General Court between 1664 to 1670, the government of Virginia in 1666, the House of Burgesses from 1685 to 1691, and Bacon's Rebellion. The early records of Northampton County and the letters of William Fitzhugh are continued.

The July number of the *William and Mary College Quarterly Historical Magazine* contains a few pages of interesting matter respecting education in colonial Virginia and respecting Virginian voting in the colonial period. The rest of the contents of the present number is almost entirely genealogical.

The Historical Society of Trinity College, Durham, N. C., an organization chiefly composed of students in the college, has just printed a volume of essays in the history of the State, more especially but not exclusively in the period of Reconstruction. It is entitled *Reconstruction and State Biography*.

A project is being discussed in Georgia for the publication of the historical records of the colony and the state.

In Mr. George P. Humphrey's series of "American Colonial Tracts," published at Rochester, Number III. is a *A State of the Province of Georgia, attested upon oath in the Court of Savannah, November 10, 1740* (London, 1742). Number IV. is *A True Historical Narrative of the Colony of Georgia in America from the first Settlement thereof, until this Period*, by Dr. Patrick Tailfer, Hugh Anderson and others

(Charleston, 1741). Number V. is *An Account showing the Progress of the Colony of Georgia in America, from its first Establishment* (London, 1741; Annapolis, Md., 1742). No. VI. is a reprint of *Nova Britannia* (London, 1609). The seventh will be *The New Life of Virginia* (London, 1612).

The Statute Law-Book Co. of Washington, D. C., has reprinted, in editions of only 50 copies respectively, the *Acts and Resolutions of the General Assembly of the State of Georgia*, passed in Atlanta at the session of 1870, and the *Private and Temporary Acts of the thirty-sixth General Assembly of the State of New Jersey*, third sitting, 1812.

Mr. John G. Gregory contributes a study of the *Land-Limitation Movement*, a Wisconsin episode of 1848–1851, as No. 14 of the *Parkman Club Publications*.

Dr. Benjamin F. Shambaugh, assistant professor in the State University of Iowa, has brought out in a volume (Iowa City, State Historical Society, pp. 287) the eight numbers thus far issued of his *Documentary Material relating to the History of Iowa*, of which the earlier numbers were noticed in these pages.

The *Annals of Iowa* for July contains a careful account of the history of Fort Madison, derived from original materials in the archives of the War Department at Washington. It is intended to provide similar historical accounts of all of the old forts in Iowa.

Col. Henry Inman, late of the United States Army, expects to bring out this autumn, through the Macmillan Co., a volume on *The Old Santa Fé Trail*.

The Quarterly of the Texas State Historical Association makes its first appearance with a July number, containing the address of the president, ex-Governor O. M. Roberts, and several articles. Among these the most important are an essay on the history of Texas geography by Judge Z. T. Fulmore, Senator Reagan's eye-witness account of the expulsion of the Cherokees from East Texas, and an article by Mr. Wm. Corner on John C. Duval.

The first two volumes of J. S. Hittell's *History of California* were published in 1886. The third, proceeding from 1848 to 1852, is now issued at San Francisco by N. J. Stone and Co. (pp. 981).

The *History of the County of Annapolis*, including old Port Royal and Acadia, with memoirs of its representatives in the provincial parliament, and biographical and genealogical sketches of its early English settlers and their families, written by W. A. Calnek, and edited and completed by A. W. Savery, has lately been pubished at Toronto (W. Briggs, pp. 660).

Noteworthy articles in periodicals: J. Batalha Reis, *The supposed Discovery of South America before 1448* (Geographical Journal, April); E. Ibarra, *Estudios Colombinos* (Revista Contemporánea, February 15);

H. Harrisse, *When did Cabot discover North America?* (Forum, June); Marquis of Dufferin and Ava, *John Cabot* (Scribner, July); A. G. Voigt, *John Wesley and the Salzburgers* (Lutheran Quarterly, July); A. Inkersley, *Alexander Baranoff and the Russian Colonies of America* (Overland Monthly, July); *General Grant's Letters to a Friend* (North American Review, July, August); G. A. Forsyth, *Sheridan's Ride* (Harper, July); J. M. Schofield, *Controversies in the War Department* (Century, August).

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The

American Historical Review

JUSTIN WINSOR

JUSTIN WINSOR died at Cambridge, Massachusetts, on October 22, 1897, in the sixty-seventh year of his age. In him American history lost its foremost student, America lost its foremost librarian, and hosts of students, living in all parts of the country, lost a devoted friend whose unfailing knowledge was always at their disposal.

Even before entering college Winsor began the serious study of history, and during his Freshman year saw his first book through the press—a *History of Duxbury*, his ancestral town. His taste for this class of pursuits grew rapidly and he determined to devote his life to them. He soon thought out a scheme of note-taking and continued to accumulate memoranda, on the lines thus early laid down, for a period of nearly forty years—until within ten days of his sudden and untimely death. Ordinary antiquarian inquiries, the study of constitutional topics, and the elucidation of important problems in our political history had slight interest for him. On the other hand, bibliographical and cartographical details which bewildered most students only charmed him. Whenever a book having anything to do with American history passed through his hands he carefully noted everything new in it, and especially any reference to new material; whenever he handled a map of America or of any portion of it he remarked its peculiar features and illustrated his notes by a sketch. Once a week he arranged the memoranda collected during the week and filed them away in portfolios or in boxes; in later years he used many of them to annotate interleaved copies of his own works. All this he did by personal labor, for he always maintained that a historical student to accomplish anything of value must handle all the books and papers with his own hands. This method, persistently pursued through a long series of years, brought together a

mass of information not only unequalled in the annals of American historical labor, but already in suitable form for easy use.

The first opportunity to make an effective use of this information on a large scale occurred in connection with the editing of the *Memorial History of Boston*, which in the excellence of its illustration and in the richness of its bibliographical notes showed the hand of a master and opened a new field for American historical literature. This great work, in the beginning at least, was the conception of another, but the real editorial work was done by Winsor. The *Narrative and Critical History of America* was his own conception modified in an important point by the wishes of his publishers. Winsor's original design was a collection of critical essays on the sources of information, but in the plan as finally adopted the writer of each chapter stated his conclusions in the form of a narrative and generally left Winsor free to reinforce his leading points in a critical essay. This proved to be an exceedingly fortunate arrangement for all concerned. It enabled the editor to secure the services of many eminent and able men who had the knowledge, time, and patience to write a narrative, but who found the composition of a critical essay on the lines of the editor's own essays beyond their power or their time. In all such cases Winsor at once stepped into the gap and did all the bibliographical work himself or supplemented the work of his contributors. The fact that the book contained a history of America in a concise form combined with the reputation of many writers who contributed to it gave it a standing which a series of essays in bibliography would not have had; it made it possible to sell large numbers of the book, and in this way to place an authoritative and stimulating work within the reach of the mass of students of our history. The same general plan of interweaving narrative and critical bibliography was followed by Winsor in his later works, one of which, his *Columbus*, is the best example of its type that has yet appeared—and this quite apart from the strong opinions expressed by its author.

Of the value of Winsor's contributions to our historical literature and to the cause of historical study in our country, more especially of the study of American history, there can be no question: he made the scientific study of American history possible by making available the rich mines of material; he solved through the aid of cartography many problems which hitherto had been insoluble; he gave a stimulus to a generation of younger men to achieve distinction by scientific work in his chosen field; and he left behind him in his *Memorial History*, his *America*, and his *Columbus* the three best books of their classes yet produced in this country or elsewhere.

This notice, however, is designed to be critical, as we may be sure Winsor himself would have desired, and there were defects in his work and in his method which should be pointed out. In the first place the plan of his great work, the *America*, and his own interests as a student made inevitable an entire lack of perspective, since the proportions of the work depended in great measure on the cartographical and bibliographical material to be described. Furthermore, Winsor was distinctly a student of that portion of our history which came to a close with the ratification of the federal constitution; the bibliography of the later period was too disorganized to be treated as he wished to treat it, and he also thought that a sufficient amount of time had not yet elapsed to treat critically the history of this later epoch. In place of stopping his work at 1783 or 1788 he included in a portion of one volume the history of the United States from 1788 to 1850, but it cannot be said that he and his contributors more than touched the fringe of this vast and highly important subject. Moreover, there is almost nothing said of the bibliography and nothing of the history of the momentous epoch extending from 1850 to the close of the Civil War. The work also includes a volume devoted to American states other than our own, and this portion is distinctly disappointing.

No one could know Winsor intimately or work in the same field with him and fail to be impressed by his great liberality as far as difference of opinion on historical matters was concerned. A strong outspoken man with immense capacity for work, he was anxious to discover and to express the truth. He naturally held firm well-defined opinions upon almost all historical matters within his field of research; but there has seldom been a master who was more tolerant of the opinions of others. My own acquaintance with him began in a controversy as to the interpretation of a map; it was confirmed by a controversy over the application of a written description to certain well-known topographical features. Both of these topics were within his own peculiar province and every year for the last twelve years witnessed a renewal of the debate on one or other of these points—and our friendship strengthened every year during this whole time. Winsor enjoyed disputation on historical subjects and liked opposition when it seemed to him to be founded on a study of the sources. He fully recognized the right of other students to have opinions of their own. It was this tolerance of what he regarded as honest error that made him a most successful editor and made it possible for men of strong conviction to work with him through the course of the twelve volumes of his co-operative works. So far as my present information goes he never altered

a statement of fact or of opinion of one of his writers without that writer's active consent; he printed their contributions as they wished them to be printed. His own opinions he expressed in very fine type in an "editorial note," which was sometimes inserted on the same page as the controverted assertion but was more often concealed amidst a mass of bibliographical detail at the end of the chapter. This frequently makes it exceedingly difficult to get a clear statement on a particular point; but this is undoubtedly a great advantage, as the points over which these difficulties arise are precisely those on which it is impossible for historical students as a body to come to a definite conclusion. In the minor matter of the spelling of proper names and in the use of Old-Style or New-Style dates, this liberality worked badly, as each contributor pursued his own independent course while the editor did the same.

The qualities which made Winsor a great editor were largely administrative; they contributed in no small degree to his success in the administration of the two large libraries with which he was associated. He chose his assistants with care, and having once chosen them he seldom interfered in their labors. He also had wonderful aptness for mechanical device and was entirely untrammelled by library traditions and methods, as he came to the Boston Public Library without any training in "library economy." As a librarian his important work was in liberalizing the relations of libraries to their users and to the reading public. While in Boston he lost no opportunity to make the resources of the Public Library better known; as one means to this end he published his *Reader's Hand-Book of the American Revolution*, which remains to this day a model of compact and reasonable bibliographical statement. He came to the Harvard College Library at the moment when new methods of historical teaching were coming into vogue. He entered most heartily into the new movement and converted the library into a laboratory for those departments whose evidence consists mainly in printed matter.

Few students in our day have opened new avenues of learning; but Winsor may fairly be said to have done so. He first systematically applied the evidence furnished by contemporary maps to the elucidation of difficult historical problems. He enjoyed peculiar advantages in this work; he was a thorough scholar and an accomplished linguist; every language of Western Europe was at his disposal, Dutch, German, French, Spanish, Portuguese, Italian; and the same linguistic faculty enabled him to understand arguments based on linguistics and to interpret strange and uncouth words or at all events to seize upon flaws in other interpretations of them; he was also an excellent and ready draughtsman and easily reproduced in

his notes important cartographical points. Long years of study combined with his historical and linguistic training made him a sure guide in cartographical controversies; he always insisted, however, on the danger of ignorant and amateurish interpretations of maps, regarding them as perversions rather than interpretations. Of American cartography as a whole, Winsor's knowledge was pre-eminent; in certain portions of the field he had exclusive information; in other portions of the field other men had equal or superior knowledge.

Winsor was a most easy writer; the mechanical operation of writing, which distresses so many persons, was a source of joy to him; he liked to see the words flow from his ready pen. All his note-taking and manuscript writing he did himself with ordinary writing materials. He was also an extremely facile composer of most formidable sentences. His days between breakfast and dark were devoted to library work and note-taking; his evenings to society and proof-reading; his composition he did before breakfast, writing sheet after sheet and pasting notes here and there in the greatest profusion. His manuscript once made up was immediately despatched to the printer without any revision whatever; and, as he also maintained that the truest form of historical expression was the bare statement of fact in bald language, the inevitable result of this headlong haste was that he frequently made statements which most men would have sent out under some less uncompromising form of words. Frequently the phrases chosen were not the most fortunate that could have been selected. Errors, too, in small matters, as names and dates, occurred and were perpetuated in the printed page; for, relying on his wonderful memory, he did not systematically verify every title and date in proof.

Winsor was not only indefatigable in collecting information and in disseminating knowledge through the medium of printed books; he opened his ample stores for the benefit of all persons who wished to draw from them. Although an exceedingly industrious man he was a most sociable man; he liked to see other persons and to talk with them or, when this was not possible, to correspond with them. While at the Boston Public Library he trained himself to interruption, stopping his pen in the middle of a sentence instead of at the end. In this way he was able to take up the unfinished thought at once upon the departure of his visitor. It happened, therefore, that one no sooner appeared within the door of his room than his pen was laid aside and the inquisitor, whom many men would have dreaded, greeted with a cheery "Sit down." Whatever Winsor knew of American bibliography or of library methods was at his questioner's disposal; if the desired information could not be given

at the library he looked up the point at his house, where his memoranda were kept, and at once sent a note to his questioner. Unknown inquirers from a distance received the same cordial attention and an enormous amount of time was devoted to answering them. He also had the reputation of a wide acquaintance with men and of being an excellent judge of them. His advice was constantly sought in the selection of librarians, authors, editors, secretaries, and teachers, and it was always cheerfully given; the number of persons who owe their present positions in part at least to his friendly counsel is very large.

As an historical editor, as a librarian, as a master of American historical cartography, as a student of the bibliography of American history, Justin Winsor was without a peer. Seldom has the world seen a firmer friend or a more generous opponent. His death leaves us without a person to turn to in one of the most important departments of our work.

EDWARD CHANNING.

THE LIFE OF MEDIEVAL STUDENTS AS ILLUSTRATED BY THEIR LETTERS

THE early history of universities is one of the most interesting and fruitful of the many questions of origins with which historical science has in recent years been occupied. Through the efforts of Denifle and of others such as Kaufmann, Fournier and Rashdall, the subject of medieval universities has been lifted out of the realm of myth and tradition and placed upon a solid basis of established fact, so that, while many perplexing problems still remain unsolved, we can now trace with measurable confidence the main outlines of their early development. As yet, investigation has centred chiefly about what may be called the anatomy of the medieval university —its privileges and organization, its relations to king and pope, and similar questions—while much less attention has been given to its inner life and history or to the daily life and occupations of its students, topics manifestly of the greatest importance if we are to form an accurate and comprehensive idea of what a university of the Middle Ages really was. The life of medieval students is, however, a large and complex subject, exhibiting wide differences at different times and in different places, and no treatment of it will be in any sense adequate which does not rest on the detailed study and comparison of the conditions at each centre of learning and the changes they underwent at different periods.[1] Such an investigation demands the careful examination of a great variety of sources, literary, documentary and narrative, which are at present in large measure unpublished and whose value and interest for this purpose are by no means generally understood. The present article is designed to call attention to one class of these sources, student letters, and to point out how far they throw light on the academic conditions of their time.

The intellectual life of the Middle Ages was not characterized by spontaneous or widely diffused power of literary expression. Few were able to write, still fewer could compose a letter, and the professional scribes and notaries on whom devolved the greater part of the labor of medieval correspondence fastened upon the letter-

[1] On the proper methods to be followed in studying the history of medieval civilization, too often treated in a dilettante and uncritical fashion, see the excellent observations of Langlois in the *Revue Historique* (1897), LXIII. 246 ff.

writing of the period the stereotyped formalism of a conventional rhetoric. Regular instruction in the composition of letters and official acts was given in the schools and chanceries, and numerous professors, called *dictatores*, went about from place to place teaching this valuable art—"often and exceeding necessary for the clergy, for monks suitable, and for laymen honorable," as one rhetorician tells us.[1] Beginning with the latter part of the eleventh century we find brief manuals of epistolography in which definite rules of composition are laid down and the order and form of the various parts of a letter fixed.[2] According to the usual theory there should be five parts arranged in logical sequence. After the salutation—as to which the etiquette of the medieval scribe was very exacting, each class in society having its own terms of address and reply—came the exordium, consisting of some commonplace generality, a proverb, or a scriptural quotation, and designed to put the reader in the proper frame of mind for granting the request to follow. Then came the statement of the particular purpose of the letter (the narration), ending in a petition which commonly has the form of a deduction from the major and minor premises laid down in the exordium and narration, and finally the phrases of the conclusion.

The construction of a letter in accordance with this elaborate

[1] Albert of Samaria, in Rockinger, *Briefsteller und Formelbücher* (see below), 84.

[2] On medieval treatises on rhetoric and collections of forms in general (*artes dictaminis, summae dictaminis*, etc.), see Palacky, *Ueber Formelbücher, zunächst in Bezug auf böhmische Geschichte*, in *Abhandlungen der königlichen böhmischen Gesellschaft der Wissenschaften* (1842, 1847), fifth series, II. 219–368, V. 1–216; Wattenbach, *Ueber Briefsteller des Mittelalters*, *Archiv für Kunde österreichischer Geschichtsquellen*, XIV. 29–94 (and separately as *Iter Austriacum*); Rockinger, *Ueber Formelbücher vom dreizehnten bis zum sechszehnten Jahrhundert als rechtsgeschichtliche Quellen* (Munich, 1855); id., *Ueber Briefsteller und Formelbücher in Deutschland während des Mittelalters* (Munich, 1861); id., *Ueber die* ars dictandi *und die* summae dictaminis *in Italien*, *Sitzungsberichte* of the Munich Academy, 1861, I. 98, ff.; id., *Briefsteller und Formelbücher des eilften bis vierzehnten Jahrhunderts*, in *Quellen und Erörterungen zur bayerischen und deutschen Geschichte*, IX.; Valois, *De Arte Scribendi Epistolas apud Gallicos Medii Aevi Scriptores Rhetoresve* (Paris thesis, 1880); Gabrielli, *L'Epistole di Cola di Rienzo e l'Epistolografia medievale*, in *Archivio della Società Romana di Storia Patria* (1888), XI. 379–479; Gaudenzi, *Sulla Chronologia delle Opere dei Dettatori Bolognesi*, in *Bullettino dell, Istituto Storico Italiano*, XIV. 85–174; Langlois, *Formulaires de Lettres du XII^e^, du' XIII^e^, et du XIV^e^ siècle*, in the *Notices et Extraits des MSS.*, XXXIV. and XXXV., 1890–1896 (five monographs on various medieval formularies; the author is also to publish a comprehensive study of the *artes dictaminis* composed in France and England in the Middle Ages).

Several treatises and formularies have been edited, especially in Germany, where the most active investigator in this field at present is Dr. Simonsfeld, of the University of Munich; but an enormous number still remain unpublished. There is a bibliography in Oesterley, *Wegweiser durch die Literatur der Urkundensammlungen*, I. 7–18 ("bibliographie incomplète et confuse mais qui n'en rend pas moins des services"—Giry); see also the appendix to Rockinger, *Ueber Formelbücher*. An excellent brief survey of the subject is given by Bresslau, *Handbuch der Urkundenlehre*, I. 624–645.

scheme was, however, possible only for those who had attained some proficiency in the epistolary art; for the ordinary man the writing of a letter meant, not the composition of an original epistle of his own, but the laborious copying of a letter of some one else, altered where necessary to suit the new conditions. It is in this way that the greater part of medieval correspondence has come down to us, preserved not as personal mementoes or sources of historical information, but as models for future letter-writers. Frequently these models would be copied and added to until they grew into considerable collections, which might find use as independent compilations of forms or be joined as illustrations to the various current treatises on the art of composition. It must not be supposed that all of the letters contained in these useful collections were actual pieces of correspondence. The authors of rhetorical manuals did not hesitate to compose models of their own or to incorporate exercises of their pupils, possible letters, but not actual ones, and they needed to make large use of such inventions when they proposed, as did many, to provide "complete letter-writers" containing examples suited to every station and condition in life. Where real letters were used the names were often omitted or altered beyond recognition, while sometimes bits of pure fancy—letters to or from Venus, Lent, Rhetoric, the Devil, and similar personages[1]—would find their way into these strange compilations.

It is evident that the collections of letters which have come down to us from the Middle Ages differ widely in character and contents and, consequently, in the nature of the information they afford the historian. The correspondence of known individuals has obviously a very different value from a series of anonymous or invented models, and the difficulty of distinguishing the real from the fictitious is one reason for the relatively small use that has been made of these formularies. While, however, the student of diplomatics in his search for authentic and datable acts cannot exercise too great caution in utilizing material of this sort,[2] the danger to the student of social conditions is much less. To him a possible letter may yield as valuable information as an actual letter, provided he can

[1] See the interesting paper of Wattenbach, *Ueber erfundene Briefe in Handschriften des Mittelalters besonders Teufelsbriefe*, in the *Sitzungsberichte* of the Berlin Academy, 1892, 91–123. Exercises of this sort occur frequently; several are mentioned by Valois, 43, from MS. Lat. 1093 of the Bibliothèque Nationale, and examples may be seen in Wattenbach, *Iter Austriacum*, 92; *Fontes Rerum Austriacarum*, second series, XXV. 466; *Rendiconti dei Lincei* (1888), IV. 2. 404; *Oxford Collectanea*, I. 42–49.

[2] On this question, and particularly on the necessity of examining each collection as a whole before utilizing any of the documents it contains, see Wattenbach, *Iter Austriacum*, and *Ueber erfundene Briefe*; Pflugk-Harttung, in *Forschungen zur deutschen Geschichte*, XXIV. 198; Delisle, *Catalogue des Actes de Philippe-Auguste*, xxx.

satisfy himself as to the place and time of its composition and the good faith of its author. He will not seek in these formulae trustworthy details of biography or of political history, but he may well expect them to reflect faithfully, because unconsciously, the conditions of the age in which they were composed, and thus add to the stock of material, none too large at best, available for the history of medieval civilization. The models were written to be used; and the more closely they corresponded to the needs of the user the greater the popularity of the *dictator* and his manual. Most of all is this true in cases relating to student affairs, since the collections of forms and the treatises on rhetoric were generally put together in the schools and for the use of scholars—some of the most famous are directly connected with Orleans and Bologna—so that even where they were the product of direct invention they would be likely to represent correctly the life of the academic environment in which they arose.

The number of extant letters and forms of letters which concern the life of the medieval student is very great. Of the hundreds of formularies and collections of letters preserved in every large European library, probably the greater number contain some reference to student affairs, and several seem to have been composed with special regard to the needs of students and their parents. All kinds of schools and all parts of Europe are here represented: cathedral schools like Hildesheim[1] and Chartres,[2] lower schools like those of Arbois[3] and St. Denis,[4] and nearly all the important university centres —Bologna, Pavia, Padua, and Siena, Vienna and Leipzig, Prague and Erfurt, Oxford and Cambridge, Salamanca, Toulouse, Montpellier, Orleans and Paris. An exhaustive critical study of this mass of student correspondence is not at present possible, as the

[1] Sudendorf, *Registrum*, III. 30–36. Cf. the exercises from Worms, likewise of the eleventh century, in Pflugk-Harttung, *Iter Italicum*, 382–389.

[2] *Bibliothèque de l' École des Chartes*, 1855, 454 ff.; Wattenbach, *Iter Austriacum*, 44. The schools of Rheims are mentioned in a MS. of the Bodleian (Laud Misc. 569, f. 187) which contains a version of the treatise known as the *Aurea Gemma:* "Remensi studio legum—vel dialetice—alacriter et sane die noctuque adherere." Rheims is here substituted for the Pavia of the original model of Henricus Francigena (cf. Pertz's *Archiv*, IX. 632; *Zeitschrift der Savigny-Stiftung für Rechtsgeschichte*, romanistische Abtheilung, VII. 2. 66).

[3] Bibliothèque Nationale, MS. Lat. 8653A; a student's notebook of the fourteenth century from Arbois in Franche-Comté, containing, besides a collection of proverbs and a vocabulary (published by U. Robert in the *Bibliothèque de l'École des Chartes*, XXXIV. 33–46), a number of forms of correspondence composed about the year 1316. Some relate to the schools of Arbois, others to scholars from Besançon studying at Orleans.

[4] Letters in the same library, MS. Lat. 15131, ff. 177–189. According to Hauréau, *Notices et Extraits de quelques Manuscrits Latins*, IV. 267 ff., they were composed by the schoolmaster of St. Denis; some of them refer to Orleans.

greater part of it is still unpublished and many of the manuscripts have not been catalogued, while the sources of the various letters and the relations of the collections to one another have yet in most cases to be determined. The present inquiry has been restricted to printed works and to the manuscripts of Paris, Munich, London, and Oxford.[1] While absolute completeness cannot be claimed, even within these limits,[2] the material examined has been sufficient to make the results reasonably representative.[3]

[1] In one or two cases material has also been drawn from formularies preserved at Rouen and Troyes and from the *dictamina* of Wolfang of Altaich in the Königliche Bibliothek at Berlin (MS. Lat. oct. 136). At Oxford it was necessary to confine investigation to the Bodleian, where very little was found; something more might perhaps be discovered in the libraries of the colleges.

[2] Particularly in the case of formularies subsequent to 1400, which exist in considerable numbers in German and Austrian libraries. These I hope at some future time to examine more thoroughly with reference to the light they throw on German universities in the fifteenth century.

[3] In order to present the results of the study in compact form, only the more significant letters are printed, and many of these only in extract. In general the quotations from manuscripts are published just as they stand in the original; the occasional emendations necessary to render a passage intelligible are noted wherever they have been made. If more than one MS. is mentioned, the text is that of the first. The MSS. of the Bibliothèque Nationale at Paris are cited simply as "MS. Lat."; in all other cases the name of the library is given.

The necessity for compression has prevented any extended discussion of the nature of the different formularies utilized, but the date and place have been noted in each instance. In the case of MSS. cited but once or twice this information is given in connection with the citation; some collections, however, are referred to so frequently that they can be most conveniently described once for all. They are:

Bernard de Meung, a *dictator* from the region of Orleans, author of an *Ars Dictaminis* of the close of the twelfth century, which is found in a great number of MSS., often with an appendix of models which vary in the different redactions, although the student letters are much the same throughout. See Langlois in the *Bibliothèque de l'École des Chartes* (1893), LIV. 225 ff.; of the MSS. that he enumerates on pp. 231–232, 795, I have examined *a–f*, *h–k*, *m–p*.

Rudolfus Turonensis, the supposed author of a *Summa Dictaminis* preserved in Munich Cod. Lat. 6911 and printed in part by Rockinger, *Briefsteller und Formelbücher*, 95–114, who assigns it to the close of the twelfth century. The student letters relate chiefly to Paris. The incomplete collection in MS. Lat. 14069, f. 181–204v., contains many of the same forms as the foregoing; the other models concern chiefly the diocese of Mainz and are of the first half of the thirteenth century. The date and authorship of the Munich MS. are to be discussed by Simonsfeld in a forthcoming publication of the Munich Academy.

Buoncompagno, professor at Bologna and author of numerous rhetorical works of which the *Antiqua Rhetorica*, composed in 1215, is the most important for student affairs. A partial list of MSS. will be found in Sutter, *Aus Leben und Schriften des Magisters Buoncompagno* (Freiburg i. B., 1894), 24; I have used Munich Cod. Lat. 23499; MSS. Lat. 8654, 7732, and 7731; and British Museum, Cotton MS. Vitellius C. VIII. The table of contents of the *Antiqua Rhetorica* is published by Rockinger, *Briefsteller und Formelbücher*, 133 ff.; cf. also *Mittheilungen des Instituts für österreichische Geschichtsforschung*, II. 225–264. On Buoncompagno's life and writings see the above mentioned monograph of Sutter, and particularly Gaudenzi in the *Bullettino dell' Istituto Storico Italiano*, XIV. 85 ff.

By far the largest element in the correspondence of medieval students consists of requests for money—"a student's first song is a demand for money," says a weary father in an Italian letter-writer,

Guido Faba, a younger contemporary and rival of Buoncompagno. On the chronology of his life and writings see Gaudenzi in the monograph just cited. The forms of Faba were less bizarre than those of Buoncompagno and hence were more widely copied and imitated; the collections which contain material on student affairs have been published as follows: *Dictamina Rhetorica* (1226–1227), in *Il Propugnatore*, new series, V. 1. 86–129, 2. 58–109; *Epistole* (1239–1241), ibid., VI. 1. 359–390, 2. 373–389; *Parlamenti ed Epistole* (1242–1243), in Gaudenzi, *I Suoni dell' Odierno Dialetto della Città di Bologna* (Turin, 1889), 127–160. I have also examined the copy of the *Parlamenti* in the British Museum, Add. MS. 33221, which Gaudenzi does not appear to have seen. The models of Faba form the basis of a collection of the fifteenth century from Salamanca in MS. Lat. 11386, ff. 55–60, and of a compilation from Orleans now at Avignon (MS. 831).

Ponce de Provence, author of a well-known *Summa de Dictamine*, to which is joined a collection of letters dedicated to the students of Orleans. There are two redactions, dated 1249 and 1252. I have used the following MSS.: MSS. Lat. 18595, 8653 (f. 1–212), 11385; Bibliothèque de l' Arsenal at Paris, MSS. 3807, 1132; British Museum, Arundel MS. 514, f. 54 (apparently the best text); Munich Cod. Lat. 22293, f. 278 (redaction made in Germany in the fourteenth century); Troyes, MS. 1556. There are brief extracts in Munich Cod. Lat. 16122, f. 11v.–16v.; other MSS. are in Arras (MS. 433), Vienna (MS. 2512), at the Laurentian in Florence (MS. 1545), and in the Archives of Aragon at Barcelona. The beginning of a version composed for the students of Toulouse is in MS. Lat. 11386, f. 13.

Laurentius of Aquileia (or rather from Cividale in the neighborhood of Aquileia—Loserth in *Neues Archiv*, XXII. 300) was one of the most prominent of the travelling rhetoricians of the type of Ponce de Provence. From his pompous addresses to students we learn that he visited Bologna, Naples, and Paris, while the models mention also Orleans and Toulouse. The student letters are rhetorical and commonplace and are generally adapted as well to one university as to another. I have used MSS. Lat. 11384 (f. 1–78v.), 14174 (f. 16v. and foll.), 14766 (ff. 108–122), 16253 (f. 5v.–26v.); British Museum, Harleian MS. 3593 (composed at Paris and dedicated to Philip the Fair).

The Formulary of Tréguier, composed in the diocese of Tréguier in lower Brittany about 1315 and now in the Bibliothèque Nationale (Nouv. Acq. Lat. 426). The letters relating to students at Orleans have been published by Delisle, *Le Formulaire de Tréguier et les Écoliers Bretons à Orléans*, in Volume XXIII. of the *Mémoires de la Société Archéologique et Historique de l' Orléanais* and separately; seven of them are reprinted by Fournier in the appendix to the third volume of his *Statuts et Privilèges des Universités Françaises*. See also the *Histoire Littéraire*, XXXI. 25–35.

MS. Lat. 8661, f. 95 and foll., succeeding a copy of Guido Faba and bearing the heading, "Quedam epistola de curtisia quesita a quodam canonico." The series of letters has to do chiefly with city affairs in the Romagna and the Marches toward the middle of the thirteenth century. This seems to be the collection alluded to by Gaudenzi, *Bullettino dell' Istituto*, XIV. 174, which he dates ca. 1245.

Bibliothèque de l' Arsenal, MS. 854. M. Ch. V. Langlois kindly called my attention to a number of student letters contained in this MS., ff. 217–244, dating from the early fourteenth century and relating to the University of Toulouse. They are preceded, ff. 214–216, by a group of letters from Orleans which belong to the close of the thirteenth century.

Munich Cod. Lat. 2649, ff. 34–53. A treatise ("De arte dictandi breviter et lucide") with anonymous models belonging to the end of the thirteenth century and dealing principally with Thuringian affairs.

"and there will never be a letter which does not ask for cash."[1] How to secure this fundamental necessity of student life was doubtless one of the most important problems that confronted the medieval scholar, and many were the models which the *dictatores* placed before him in proof of the practical advantages of their art.[2] The letters are generally addressed to parents, sometimes to brothers, uncles, or ecclesiastical patrons—a much copied exercise contained twenty-two different methods of approaching an archdeacon on this ever delicate subject.[3] Commonly the student announces that he is at

[1] "Primum carmen scolarium est petitio expensarum, nec umquam erit epistola que non requirit argentum." Buoncompagno, *Antiqua Rhetorica*, in MS. Lat. 8654, f. 14v.; MS. Lat. 7732, f. 9v.; Munich Cod. Lat. 23499, f. 8v.

[2] There is a decided sameness in the contents of letters of this kind, and only the most interesting are given here. Examples of more commonplace types may be found in Rockinger, *Briefsteller und Formelbücher*, 71, 81, 372, 487; id., *Ueber Briefsteller*, 40; Guido Faba, *Dictamina Rhetorica*, 1, 22, 24, 63, *Epistole*, 66 and 67, *Parlamenti ed Epistole*, 83; Delisle, *Le Formulaire de Trèguier*, Nos. 1, 12, 16, 19; Günthner, *Geschichte der literarischen Anstalten in Baiern*, I. 217, 230; Biondi, *Le Dicerie di Ser Filippo Ceffi* (Turin, 1825), 65. Cf. also the authentic letters of Gui de Bazoches from Montpellier, *Neues Archiv*, XVI. 76, 77.

The manner of constructing one of these letters may be seen by the following extract from an anonymous treatise in the British Museum (Add. MS. 18382, f. 59): "Assumatur ergo tale tema, quod quidam Parisius insistens studiis et nimis pauperrime vivens litteras dirigat matri sue ut in rebus neccessariis sibi provideat. Assumendum est *proverbium* in hunc modum: Mater moribus redolet novercam que filii non sublevat egestatem. *Nar.*: Diu est quod Parisius studiis inservivi et nummos meos in usus neccessarios iam expendi. *Petitio:* Mihi igitur necessaria propinetis et sic egestatem meam expensis minimis munere sublevetis. Ultimum *proverbium:* Domesticum est enim matri ut filio subveniat indigenti." A similar example is found in Munich Cod. Lat. 2649, f. 38v., printed in a slightly different form by Rockinger, *Ueber Briefsteller*, 40. See also Langlois, *Formulaires de Lettres*, IV. 14. The rhetorical elaboration of a simple letter of this sort is illustrated in Rockinger, *Briefsteller und Formelbücher*, 487.

This commonplace of medieval student existence is also treated in verse. See *Carmina Burana*, 50; *Anzeiger für Kunde der deutschen Vorzeit* (1873), XX. 8; and particularly the poetical *dictamina* of Mathieu de Vendôme, published by Wattenbach in the *Sitzungsberichte* of the Munich Academy for 1872, phil.-phil. Classe, 561–631, which contain much interesting information on the student life of the twelfth century. Another begging letter of the same author is in M. Haupt's *Exempla Poesis Latinae Medii Aevi* (Vienna, 1834), 31.

[3] Published by Bärwald in *Fontes Rerum Austriacarum*, second series, XXV. 455–464, from a fourteenth-century MS. in Vienna. The earliest occurrence of this exercise that I have found is in a treatise in the Bibliothèque Nationale, MS. Lat. 16252, ff. 39–41v., composed, it would appear from the names on f. 34v., between the years 1243 and 1249. Other copies are in MS. Lat. 14357, f. 129v. (fourteenth century), and Munich Cod. Lat. 5319, f. 182v. (fifteenth century).

Petitions to ecclesiastical dignitaries are usually either requests from students for benefices or petitions from beneficed priests for leave of absence for purposes of study, such leave to carry with it, of course, the enjoyment of the fruits of the living. Examples of such letters and the replies are common,; *e. g.* Guido Faba, *Epistole*, 25, 26, *Dict. Rhet.*, 88, 89; *Fourth Report of Historical Manuscripts Commission*, 380, 394; *Codex Diplomaticus Silesiae*, V. 161; Langlois, *Formulaires de Lettres*, IV. 7; *Register of Archbishop Peckham* (Rolls Series), I. 3, 8; *Registrum Palatinum Dunelmense* (Rolls Series), III. 307.

such and such a centre of learning, well and happy but in desperate need of money for books and other necessary expenses. Here is a specimen from Oxford, somewhat more individual than the average and written in uncommonly bad Latin:[1]

"B. to his venerable master A., greeting This is to inform you that I am studying at Oxford with the greatest diligence, but the matter of money stands greatly in the way of my promotion, as it is now two months since I spent the last of what you sent me. The city is expensive and makes many demands; I have to rent lodgings, buy necessaries, and provide for many other things which I cannot now specify. Wherefore I respectfully beg your paternity that by the promptings of divine pity you may assist me, so that I may be able to complete what I have well begun. For you must know that without Ceres and Bacchus Apollo grows cold."[2]

Sometimes the supplies needed—books and parchment, trousers, linen, bedding, etc.—are sought directly from home.[3] In an interesting set of letters written from Chartres at the beginning of the twelfth century and quite unspoiled by the phrases of the rhetoricians, we find two brothers asking their mother for thick lambs' skins for winter clothing, parchment for making a psalter, their father's great boots, and some chalk, good chalk, since theirs is

[1] The text of the formularies of the Middle Ages is frequently quite corrupt; in many cases it is clear that the copyists did not understand the meaning of what they wrote. Langlois, *Formulaires de Lettres*, V. 26, note.

[2] "Venerabili domino suo A., B. salutem. Noverit universitas vestra quod ego Oxonie studeo cum summa diligencia, sed moneta promocionem meam multum impedit. Iam enim due mense transacte sunt ex quos mihi misisti expendidi (!). Villa enim cara est et multa exigit; oportet hospicium conducere et utensilia emere et de multis aliis extra predicta que ad presens non possum nominare. Quare paternitati vestre pie suplico quatinus divine pietatis intuitu mihi succuratis, ut possim includere quod bene incoavi. Sciatis quod sine Cerere et Bacone frigescit Apollo. Quare tum facite ut vobis mediantibus incoatum bene possim terminare. Vale." British Museum, Add. MS. 8167, f. 104 (collection dating from 1220 or soon after).

[3] "Linea mea vestimenta simul lectisternia, pro studii oportunitate a vobis mihi longe procurata, iam a vetustate temporis corosa tendunt annichilari," says a student at Vienna, and he asks for others, in order that "me honesto more cum ceteris bursalibus valeam conservare;" Munich Cod. Lat. 11799, f. 121 (fifteenth century). "Mutatoria ac pelles" is the demand in the formulary of Hugh of Bologna (*Neues Archiv*, XXII. 300), while in the poetical *dictamina* of Mathieu de Vendôme (ed. Wattenbach, 624) the student begs:

> "Delegare mihi mantilia, lintea, bracas
> Accelera, matrem talia dona decent."

The needs of a student at Paris are thus stated in a monastic letter-writer of the fourteenth century in the Bibliothèque de Troyes (MS. 1992, f. 67): "Parisiensis equidem scolaris non ad victum solum denariis indiget, sed ad multa, sicut libros emendos, ad exemplaria conducenda, ad pergamenum ceteraque necessaria que conveniunt ad notandum."

worth nothing.[1] A Vienna student who writes to his father N., citizen of Klosterneuburg, that he has spent his money for books and other things that pertain to learning, receives in reply "by this present messenger ten Rhenish gulden, seven ells of cloth for a cloak, and one pair of stockings."[2]

If the father was close-fisted, there were special reasons to be urged: the town was dear—as university towns always are!—the price of living was exceptionally high owing to a hard winter,[3] a siege,[4] a failure of crops,[5] or an unusual number of scholars;[6] the last messenger had been robbed[7] or had absconded with the money;[8]

[1] *Bibliothèque de l'École des Chartes*, 1855, 454–455. Cf. Clerval, *Les Écoles de Chartres au Moyen Âge* (Chartres, 1895), 194, 195, 216–218. The elder brother, Arnaud, was dean of the chapter, and the younger, Jacques, was studying in the cathedral school.

[2] "Dem allerliebsten so ich in auf erden hab, dem N. purger zu Newburg. Das gelt das ir mir geben habt, das hab ich nun vertzert und hab mir auch davon pücher gekaufft und auch ander ding das zu der lernung gehört . . . "

"Meinem hertzen lieben Sun N., studenten zu Wien. . . . Darumb, lieber Sun, sende ich dir pei disem gegenwartige poten x gulden reinisch und vii ellen tuch zu einem mantl und j parhosen." Munich Cod. Lat. 11799, ff. 4–5 (a brief collection of German *dictamina*, ca. 1447).

[3] "Pro yemali frigore magis expendidi." British Museum, Harl. MS. 4993, f. 19 (a brief treatise, with examples, by an Oxford scholar, Thomas Sampson, dating in its present form from 1420 or thereabouts).

[4] "Cum propter imperatoris adventum, quem Bononienses trepidanter exspectant, Bononia facta sit cara in victualibus ultra modum." Guido Faba, *Epist.* 6. Cf. Thymon of Erfurt in British Museum, Arundel MS. 240, f. 123. So a foreign student in France asks for money at once because none can reach him after Easter, when war with England is to begin. Munich Cod. Lat. 96, f. 38v.

[5] "Per grandinem et per alias tempestates importunas annone per totam Thuringiam (MS. Thuringia) perierunt, ex quo caristia invaluit satis magna." Munich Cod. Lat. 1466, f. 71v. (Letter from Erfurt in a Silesian formulary of the fourteenth century. Cf. Unterlauff in *Zeitschrift für Geschichte und Alterthum Schlesiens*, XXVII. 310 ff.)

[6] So at Laon early in the twelfth century, according to the letter of an Italian student, "multis clericis Laudunum adventantibus, vix inveniri valde cara poterunt." *Bibliothèque de l'École des Chartes*, 1855, 466. A similar statement regarding Paris toward the close of the twelfth century is in Pez, *Thesaurus Anecdotorum*, VI. 1. 427. In the *Dictamina Rhetorica* of Guido Faba, 38, the citizens of Bologna are accused of concealing the abundance which God has given them and thus creating an artificial scarcity.

Uncommon dearness is a frequent excuse and comes from every quarter. Thus, besides the passages just cited, we find for Bologna Guido Faba, *Dict. Rhet.*, 1; for Paris Laurentius of Aquileia in MS. Lat. 16523, f. 16, and Rockinger, *Briefsteller und Formelbücher*, 961; for Toulouse, Laurentius in MS. Lat. 11384, f. 44, and MS. Lat. 14174, f. 26v.; for Vienna, Munich Cod. Lat. 5667, f. 188 (MS. of the year 1404); for Faenza, an extract in *Bullettino dell' Istituto Storico Italiano*, XIV. 173; for Arbois in Franche-Comté, MS. Lat. 8653A, f. 1v.; for Oxford, British Museum, Harleian MS. 670, f. 26, (fifteenth century); etc. In how many cases a real scarcity existed it would be impossible to say; Gaudenzi, *Bullettino dell' Istituto Storico Italiano*, XIV. 131, thinks the model of Guido Faba (*Dict. Rhet.* 1) refers to the severe famine of 1226–1227.

[7] Munich Cod. Lat. 22373, f. 207 (collection of the fifteenth century relating to Prague).

[8] "Reverendo patri suo ac per omnia merito diligendo A. suus filius studens Parisius, filialis dilectionis constanciam et utriusque vite salutem. Paternitati vestre reverende

the son could borrow no more of his fellows or of the Jews; and so on. The student's woes are depicted in moving language, with many appeals to paternal vanity and affection. At Bologna we hear of the terrible mud through which the youth must beg his way from door to door, crying, "O good masters," and bringing home nothing unless the Lord go with him.[1] In an Austrian formulary a scholar writes from the lowest depths of prison, where the bread is hard and moldy, the drink water mixed with tears, the darkness so dense that it can actually be felt.[2] Another lies on straw with no covering, goes without shoes or shirt, and eats he will not say what —a tale designed to be addressed to a sister and to bring in response a hundred sous *tournois*, two pairs of sheets, and ten ells of fine cloth, all sent without her husband's knowledge.[3] In another

notum esse cupio quod cum nuncios Parisius mihi destinaveritis cum equis et aliquanta pecunia (MS. aliquantam pecuniam), ex inoptato eventu rerum se subtraxit unus nuncio-rum cum . x. maricis et cum equo qui fuit ad valorem estimatus . c. maricarum, qui, ut dicitur, postmodum interfectus fuit. Unde sicut multis positus anxietatibus, cum non possim habere Parisius credenciam aliquam, supplico benignitati vestre quatinus alium equum et pecuniam mihi sine obstaculo dilacionis aliquam mihi transmittatis, ne tanquam feminam oporteat effugere et tanquam scirram vagari me contingat aliqua dierum ad con-fusionem meam et vestrum opprobium in vestra facie comparere." MS. Lat. 14069, f. 194v.

[1] "Cogit me anxietas eximie paupertatis et abhominabilis inopia me compellit exor-dium promere lacrimosum et narrationum seriem pudorosam. Nam cum deberem lecti-oni vacare et studiosius insistere scholasticis disciplinis, per hostia scolarium clamito mendicando. Insisto quippe reiterans aliquando vigesies, O boni domini, vel huius-modi, et non reporto nisi vado cum Deo. Festino postmodum ad hostia laicorum, a quibus frequentius repellor cum clamoribus et garitu, et si quando dicitur, Expecta, ex-hibetur mihi panis de triplici mixtura quem canes comedere perorrescunt propter aristas spelte ibidem insertas. Olera quidem repudiata, cuticule, nervi qui commasticari non possunt, mucilagines carnium, abiectilia intestina, mice spinose, rapa, legumina, con-temptibilia cibaria, et vina dampnata sepius mendicantibus exibentur. Discurro de nocte per civitatem, in manu dextra baculum et in sinistra parasidem (*other* MSS.: pisci-dem, pixidem), peram iuxta cingulum et cucurbitam ad modum scarsellule deferendo, bacculo canibus resistendo, sed piscis oleribus, pera panibus, et cucurbita potibus deputa-tur. Cado frequenter in lutum Bononiense, cuius fetor est odori sepulcrorum similis, et ita fedatus ad hospitium revertor satisfaciens latranti stomacho de perceptis." . . . Buoncompagno, *Antiqua Rhetorica*, in Munich Cod. Lat. 23499, f. 9v. Also in MS. Lat. 8654, f. 16; MS. Lat. 7732, f. 10v.; British Museum, Cotton MS. Vitellius C. VIII., f. 96v. Letters on the same folii of these MSS. describe the misfortunes of another begging student and of one who is lying in the hospital. The example cited is a good specimen of Buoncompagno's style; manifestly his descriptions are not to be taken as entirely typical. The mud of Bologna is also referred to by Mathieu de Ven-dôme, ed. Wattenbach, 627.

[2] *Summa* of Petrus de Hallis, ca. 1337, in *Fontes Rerum Austriacarum*, second series, VI. 117.

[3] "Soror discrepta (*i. e.* discreta) et callida suum debet maritum et parentes etiam ad amorem sui fratris indigentis et subsidium inflammare. Soror dulcis, tua noscat dilec-tio quod ego sum in tali studio sanus et lectus (*i. e.* laetus) per Dei gratiam et bene ad-disco et facio factum meum. Multas enim paupertates substineo: iaceo quidem in paleis sine linteaminibus et incedo discalciatus et male vestitus sine camisia, et solum de pane non loquor, de quo edigeo non possum reficere ventrem meum (*the Arsenal* MS. *has*: de quo

form of appeal to the sister's mercy the student asks for the loan of twenty sous from her, since he has been so short a time at school that he dares not make the demand of his parents, "lest perchance the amount of his expenses displease them."[1]

To such requests the proper answer was, of course, an affectionate letter, commending the young man's industry and studious habits and remitting the desired amount.[2] Sometimes the student is cautioned to moderate his expenses—he might have got on longer with what he had,[3] he should remember the needs of his sisters,[4] he ought to be supporting his parents instead of trying to extort money from them,[5] etc. One father—who quotes Horace!—excuses himself because of the failure of his vineyards.[6] It often happened, too,

non audeo ventrem meum satiare). Precor igitur, soror dulcissima, ut diligenter et subtiliter tuum ducas maritum in quantum poteris ut iuvamen aliquod mihi mittat." The sister cannot express her distress over his poverty; she has done what she could and got together ". c. solidos Turonensium et duo paria linteaminum et . x. ulnas de subtili tela, que omnia tibi dirigo per talem hominem presencium portatorem. Cave tamen cum summa diligentia ne hoc possit ad mei mariti noticiam pervenire, nam si hoc sciret mortua essem penitus et destructa. Ipse enim, prout credo firmissime, ad instanciam mei tuam in brevi tibi peccuniam destinabit." Ponce de Provence in British Museum, Arundel MS. 514, f. 76v. Also in MS. Lat. 18595, f. 22v.; MS. Lat. 8653, f. 13; MS. Lat. 11385, f. 73v.; Bibliothèque de l' Arsenal, MS. 3807, f. 61v.; Bibliothèque de Troyes, MS. 1556, f. 20.

[1] "Ne mearum expensarum quantitas eos forte tedio afficiat." Munich Cod. Lat. 6911, f. 54v.

[2] Examples in Rockinger, *Ueber Briefsteller*, 41; Guido Faba, *Dict. Rhet.*, 2; Delisle, *Formulaire de Trèguier*, Nos. 2, 5, 14, 17.

[3] "Debuisses quidem per biennium primo fecisse moram in scholis antequam tam importune subsidia postulares." To which the student replies: "Qui remorantur domi iudicant de absentibus prout volunt, et dum sedent super ollas carnium in saturitate panem edentes illorum nullatenus recordantur qui fame, siti, frigore, ac nuditate opprimuntur in scholasticis disciplinis." Buoncompagno in MS. Lat. 8654, f. 14v.; MS. Lat. 7732, f. 9v.; Munich Cod. Lat. 23499, f. 8v.

[4] Mathieu de Vendôme, ed. Wattenbach, 622.

[5] "Verecundari debet adultus et discretus filius cum a patre suo pauperrimo credit et nititur pecuniam extorquere, cui deberet potius in necessariis providere." Munich Cod. Lat. 22293, f. 280v. Cf. also f. 281.

[6] "P. civis Bisuntinus suo precordiali filio G. in Montepessulano studenti, salutem et cure paternalis affectum.

Insani sapiens nomen fert, equus iniqui,
Ultraquam satis virtutem si petat ipsam,

sicut Horatius asseverat (*Epistles*, I. 6, 15). Ut attumavi satis esse tibi sumptus hucusque, suspedicavi pectore letabundo, sed hoc anno ymbres et uredo primitus, demum importune ulucres (*i. e.*, volucres) vignearum fructibus partibus istis adeo deterserunt quod in tribus vigneis sportas duntaxat dovam in qualibet sigillatim collegi. Meos autem convicaneos par sterilitas reddidit consternatos. Hac ratione non est michi suppetens qua te valeam relevare, nisi ultra quam satis immergar usurarum voragine, quo facto videar insanire. Igitur faciens de necessitate virtutem sustineas quousque nobis pinguiorem Omnipotens largiatur fortunam." MS. Lat. 8653A, f. 9v. In a formulary from Toulouse, on the other hand, the parents cannot send money because of the low prices of produce: "Cum de blado et vino nostro propter multitudinem que nunc est nullam poterimus pecuniam extorquere." Arsenal, MS. 854, f. 232.

that the father or uncle has heard bad reports of the student, who must then be prepared to deny indignantly all such aspersions as the unfounded fabrications of his enemies.[1] Here is an example of paternal reproof taken from an interesting collection relating to Franche-Comté:

"To his son G. residing at Orleans P. of Besançon sends greeting with paternal zeal. It is written, 'He also that is slothful in his work is brother to him that is a great waster.' I have recently discovered that you live dissolutely and slothfully, preferring license to restraint and play to work and strumming a guitar while the others are at their studies, whence it happens that you have read but one volume of law while your more industrious companions have read several. Wherefore I have decided to exhort you herewith to repent utterly of your dissolute and careless ways, that you may no longer be called a waster and your shame may be turned to good repute."[2]

In the models of Ponce de Provence we find a teacher writing to a student's father that while the young man is doing well in his studies, he is just a trifle wild and would be helped by judicious admonition. Naturally the master does not wish it known that the information came through him, so the father writes his son:

"I have learned—not from your master, although he ought not to hide such things from me, but from a certain trustworthy source—that you do not study in your room or act in the schools as a good student should, but play and wander about, disobedient to your master and indulging in sport and in certain other dishonorable practices which I do not now care to explain by letter." Then follow the usual exhortations to reform.[3]

[1] "Mentiti sunt per medios dentes qui de me talia predicaverunt," says a student in the formulary of Ponce de Provence. British Museum, Arundel MS. 514, f. 75; Munich Cod. Lat. 22293, f. 282v.; MS. Lat. 18595, f. 21. Specimens of the conventional reproof and denial may be seen in Guido Faba, *Dict. Rhet.* 3, 4; *Epist.* 8, 9. In *Epist.* 8, the father calls down on the son's head "the maledictions of the Old and New Testaments."

[2] "P. Bisuntinus G. filio suo Areliensis—vel Aurelianis—residenti, salutem cum zelo paternali. Scriptum est, 'Qui mollis est et dissolutus in opere suo frater est sua opera dissipantis' (*Proverbs*, xviii. 9). Te nuper intellexi [te] molliter et dissolute adeo vivere ut petulanciam plus celibatu diligas et ludicra seriis anteponas, nec non cum ceteri lucubrationi vacant in cithara diceris concrepare; unde contingit unum volumen legeris, quamquam tui choetanei plura condecentius legerint commentaria (MS. comitaria). Igitur te duxi presentibus exortandum quod (MS. qq) a tuis dissolutionibus insolenciis totaliter resipiscas, quod non dicaris bonorum dissipator sed in bonum nomen tua possit ignominia commutari." MS. Lat. 8653A, f. 9; a similar letter is on f. 13v.

[3] "Non per tuum magistrum, qui tamen non deberet mihi talia celare, sed per certam relacionem quorundam, didici quod tu non studes in camera tua nec in scolis sis ut bonus scolaris solet facere, sed extra vagabundus efficiaris atque lusor et tuo magistro non obediens et rebellis, indulgens ludis et quibusdam aliis inhonestis que ad presens nolo per lit-

The arrival of students at school is frequently the occasion of letters to parents describing their new surroundings, as in the following illustration, which comes from Moravia:

"After my departure from your gracious presence the circumstances of my journey continued to improve until by divine assistance I arrived safely in the city of Brünn, where I have had the good fortune to obtain lodgings with a certain citizen who has two boys in school and provides me with food and clothing in sufficient amount. I have also found here an upright and worthy master, of distinguished reputation and varied attainments, who imparts instruction faithfully; all my fellow pupils, too, are modest, courteous, and of good character, cherishing no hatred but giving mutual assistance in the acquirement of knowledge and in honor preferring one another."[1]

The following, from Orleans, is more fresh and original:

"To their dear and respected parents M. Martre, knight, and M. his wife, M. and S. their sons send greeting and filial obedience. This is to inform you that, by divine mercy, we are living in good health in the city of Orleans and are devoting ourselves wholly to study, mindful of the words of Cato, 'To know anything is praiseworthy.' We occupy a good dwelling, next door but one to the schools and market-place, so that we can go to school every day without wetting our feet. We have also good companions in the house with us, well advanced in their studies and of excellent habits —an advantage which we well appreciate, for as the Psalmist says, 'With an upright man thou wilt show thyself upright'" (*Psalms*, xviii. 25). Then follows the inevitable demand for money, this time for the purchase of a desk, ink, and parchment, and the letter

teras explicare." Munich Cod. Lat. 22293, f. 278v.; Cod. Lat. 16122, f. 11v.; MS. Lat. 18595, f. 16v. Cf. Buoncompagno in Munich Cod. Lat. 23499, f. 4v.

[1] "Postquam discessi a vestra facie graciosa, divino favente (MS. vavente) auxilio, meum iter [convertitur] de bono in melius se disposuit donec Brunnensis civitas incolomem me recepit. Ibidem apud quendam civem qui duos habet pueros scolas frequentantes sospes et cum gaudio sum locatus, qui sufficienter vestes et victualia aministrat; ibidem etiam inveni magistrum probum et honestum, suos subditos fideliter informantem, honestatis titulo ac diversis facultatibus presignitum. Preterea socii qui se in suis scolis recipiunt omnes sunt curiales, humiles, et honesti, inter quos nullum latet odium sed mutuo scientiis proficiunt et honoribus se exaltant." Munich Cod. Lat. 2649, f. 49; on f. 44 a student gives a similar account of his surroundings at Erfurt. The following, of much the same character, is from Buoncompagno: "A vobis licentia impetrata et recepto benedictionis vestre munere, cepi ad studium properare sicque cum successive fortune incremento intravi Bononiam, ubi a sociis et amicis fui cum ingenti alacritate receptus et ab eis multipliciter honoratus. Postmodum vero conducxi hospitium, preelegi mihi magistrum et socios competentes, cum quibus lego et proficio iugiter in moribus et doctrina." Munich Cod. Lat. 23499, f. 5: MS. Lat. 8654, f. 8. See also Guido Faba, *Epist.* 54; and Ponce de Provence in Munich Cod. Lat. 22293, f. 279, and MS. 3807 of the Arsenal, f. 57v.

closes by saying that the bearer will take charge of the books and shoes their parents have to send and will also bring any message they may desire him to convey. [1]

The student's journey and arrival were not always so prosperous, and the famous Bolognese dictator Buoncompagno devotes a chapter of his collection to the accidents that may befall one on the way to the university. [2] Attacks from robbers seem to have been the chief danger; the scholar was hastening to Bologna, for the love of letters, but in crossing the Alps he was attacked by highwaymen, who took away his books, clothing and money, so that he has been obliged to remain in a neighboring monastery till help can reach him. [3] In other instances the robbery takes place in the forest of Bologna, [4] or in the highway near Aosta. [5]

Once safely arrived at a centre of learning, medieval students were slow to quit academic life. [6] Again and again they ask per-

[1] MS. Lat. 1093, f. 82v., published by Delisle in the *Annuaire-Bulletin de la Société de l'Histoire de France* (1869), VII. 149, 141. There is a reprint in the *Archivio della Società Romana di Storia Patria* (1888), XI. 396.

With these may be compared such descriptions of Paris as are given by a German student at the beginning of the twelfth century (Jaffé, *Bibliotheca Rerum Germanicarum*, V. 285); by Gui de Bazoches about fifty years later (*Bulletin de la Société de l'Histoire de Paris et de l'Isle de France*, IV. 38—cf. *Neues Archiv*, XVI. 72); and by John, later Archbishop of Prague, in 1375 or 1376 (*Archiv für österreichische Geschichte*, LV. 385).

[2] See the table of contents in Rockinger, *Briefsteller und Formelbücher*, 134.

[3] "Eram in procintu itineris et Bononiam properabam ob amorem studii litteralis, unde si essent in homine vie illius meum ducxissem propositum ad effectum; sed comparuit evidens impedimentum quo cogor a proposito resilire. Sane cum essem in transitu Alpium occurerunt quidam ratopres (MS. Lat. latrones) qui peccuniam, libros, vestes, et equos mihi penitus abstulerunt, me nudum, verberatum, et vulneratum, lugubrem et abiectum in solitudinem dimittentes. Postmodum autem diverti ad quoddam monasterium, in quo tandiu proposui commorari donec quid mihi sit agendum vestris litteris intimetis." Buoncompagno in Munich Cod. Lat. 23499, f. 5; MS. Lat. 8654, f. 8; British Museum, Cotton MS. Vitellius, C. VIII., f. 93v. In Mathieu de Vendôme (ed. Wattenbach, 587) the same fate befalls a student of medicine on his way to Salerno.

[4] "Mirifice divinitatis nutu Vercellensis ecclesie religioso antistiti B. humillimus clericus Cum enim nuper preter parentium velle philosofice discende liberalitatis gratia versus Bononiam iter incepissem et procuratorem habens itineris Bononiensium silvam ingressus essem, supervenientes quidam milites de contiguis castrorum finibus ad depredandum, sicut revero venerant habiles, me cum prefato itineris tutore ceperunt et cuncta seriatim investigantes cetera violenter abstulerunt . xv. argenti marcas, pelles grisias exceptis subpellectilibus plurimis et diversis que scolares in terra extranea victuros portare cognoscitis." *Precepta Prosaici Dictaminis secundum Tullium*, of the twelfth century, from northern Italy, in British Museum, Add. MS. 21173, f. 71v.

[5] "Consultatione vestra Bononiam (MS. Bonaniam) profiscebar iuris scientiam adepturus, verum in strata publica (MS. plubica) vispiliones me spoliaverunt, libros et pecuniam cum vestibus absportantes, unde pauperculus regressus sum ad Augustam ubi cum robore miserabili mendicitate sustentor." MS. Lat. 8653A, f. 3v.

[6] Buoncompagno even tells of one who had spent twenty-eight years in study: "Ecce iam xxviii. annorum spacium est elapsum quod te dedicasti scholasticis dis-

mission to have their term of study extended; war might break out,[1] parents or brothers die, an inheritance have to be divided,[2] but the student pleads always for delay. He desires to "serve longer in the camp of Pallas;"[3] in any event he cannot leave before Easter, as his masters have just begun important courses of lectures.[4] A scholar is called home from Siena to marry a lady of many attractions; he answers that he deems it foolish to desert the cause of learning for the sake of a woman, "for one may always get a wife, but science once lost can never be recovered."[5] In a similar case another student holds out against the charms of a proposed wife, who, "though she is dark, is clever and of placid demeanor, good, wise and noble, and moreover has a considerable dower and belongs to an influential family."[6] Sometimes, however, the student is taken ill and writes for money and an easy-going horse to take him home,[7] while occasionally he discovers his inability to learn and

ciplinis." Munich Cod. Lat. 23499, f. 13; MS. Lat. 8654, f. 21v.; MS. Lat. 7732, f. 14v.

[1] Guido Faba, *Dict. Rhet.* 53, *Epist.* 84. Cf. Petrus de Hallis in *Fontes Rerum Austriacarum*, second series, VI. 116; and *Bullettino dell'Istituto Storico Italiano*, XIV. 169.

[2] Munich Cod. Lat. 2649, f. 50; Cod. Lat. 96, f. 38; Cod. Lat. 14708, f. 58, 58v.; *Zeitschrift für die Geschichte des Oberrheins*, new series, XI. 34; Guido Faba, *Dict. Rhet.* 15, 16.

[3] "In castris Paladis disposui longiori spatio militare." MS. Lat. 8661, f. 98v. So the nephews of Wolfgang of Altaich ask for more time (Berlin MS. Lat. oct. 136, f. 112v.), and a beneficed student promises to return to his parish in the spring (Guido Faba, *Dict. Rhet.* 84, 85).

[4] "Ad presens te non possum presencionaliter consolari nec ante futurum Pascha tuam presenciam visitare, quia magistri quorum lectionibus me subiunxi quosdam libros mihi utiles legere inceperunt, quorum neglectio meo studio generaret irrecuperabile detrimentum." Munich Cod. Lat. 2649, f. 50v.

[5] Guido Faba, *Parlamenti ed Epistole*, 16–19.

[6] "G., filiam Bernardi de Gualdo . . . que, quamquam bruna sit, abilis est et placida in conspectu, morum elegantia decoratur, nitet sapientia, magnaque nobilitate clarescit. Preterea nominata dotem exhibet grandi censu, caros habebit amicos plurimos et affines." MS. Lat. 8661, f. 98; on f. 96v., on the other hand, a student writes that his approaching marriage will prevent his return to school.

The same MS., f. 99v., reproduces a form of Buoncompagno's written by a woman to her husband who has remained in the schools longer than he had promised; she is sure he has been studying in some other Code, and proposes to read a little in the Digest on her own account! This is published from an anonymous fragment at Rheims by Wattenbach in the *Sitzungsberichte* of the Berlin Academy for 1892, 93; it will be found, followed by another of similar character, in the copies of the *Antiqua Rhetorica* in MS. Lat. 8654, f. 22, and MS. Lat. 7732, f. 14. Cf. Guido Faba, *Epist.* 9, where a son assures his father that he has been studying in the Code of Justinian and no other.

[7] *E. g.*, the letter of a French student at Bologna in the Formulary of Tréguier (MS. Lat. Nouv. Acq. 426, f. 17), cited by Delisle in the *Histoire Littéraire*, XXXI. 30. The following letter from Angers in the same collection (f. 3) is not mentioned by Delisle: "Reverendo pre omnibus suo patri reverencia filiali tali patrifamilias titulis domini talis opidi decorato, talis suus filius Andegavis in studio moram trahens (MS. traans) salutem corporis et anime, licet ipsa salute corporis iam privetur. Reverende pater, vobis

asks to enter the army or some other more congenial occupation.[1]

As is indicated by letters already cited, one of the first cares of a student was to provide himself with a suitable room. Various models show that it was usual to secure accommodations in advance through acquaintances, a necessary precaution when the number of new students was uncommonly great.[2] The scholar is going to Paris at the feast of St. Rémy,[3] or he is a monk whose prior has just granted him a year's leave of absence,[4] and he would like to live "away from the rush and noise of men,"[5] in the same room with his friend, if possible, or at least in the same hospice.[6] Fre-

tenore presencium innotescat me gravi valetudine corporis iam detentum taliter quod exercere studium nequeo, sed in lecto iacens egritudinis me rectis pedibus non valeo sustentare. Quare paternitati vestre carisime suplico, care pater, visis presentibus unum de vestris clientibus cum equo suaviter ambulante et sufficienti pecunia ad expensas pro me mittere non tardetis, quo ducente vestram gratuitam presenciam ante quam moriar valeam visitare. Spero etenim firmiter quod mea infirmitas mutacione locorum valeat immutari, alias timeo et oresco ne ossa mea terra contegat aliena." In MS. Lat. 15131, f. 177v., a student at Orleans writes to the same effect. So in the British Museum, Cotton MS. Vitellius, C. VIII., f. 141, where the writer wishes "vehiculum et expensam."

[1] "Patri karissimo, etc. In labore scholastico sedi diucius ut mihi thesaurum scientie comparem, verum sed irritum laboravi et video quantum magis studeo tanto minus proficio nec ad memoriam possum reducere peraudita. Ad hoc ergo discretum habeat consilium vestra veneranda paternitas me ab officio clericali removendo et ad decus milicie, ad quod meus valde suspirat animus, transferendo; aliquin regnum Francorum gressibus visitabo regi donec me faciat militem cum diligencia serviturus." The father tries to dissuade him, but adds that if in his simplicity he still insists on becoming a knight, he would better serve under his natural lord. Munich Cod. Lat. 22293, f. 281. In other MSS. of Ponce de Provence (MS. Lat. 18595, f. 19v.; MS. Lat. 8653, f. 11v.; Arsenal MS. 3807, f. 59; British Museum, Arundel MS. 514, f. 73v.) the request is more general—"filius patri quod non potest addiscere, et removeat eum ab officio clericali ad aliud aptum officium transferendo," and in the reply the student, if he returns, is to go into business like his brothers—"negociando lucraberis, sicut faciunt fratres tui." So in the *dictamina* of Nicholas of Breslau (*Codex Diplomaticus Silesiae*, V. 318) a father promises the delights of manual labor to a son who complains that the Scriptures are too hard for him to understand and desires to do "some more useful work which leads to temporal gain."

[2] See the letter from Laon, written not long after 1103, in the *Bibliothèque de l'École des Chartes*, 1855, 466.

[3] "Ad festum beati Remigii est mihi propositum ire Parisius et vobiscum in eodem hospicio commorari. Unde vestram benivolentiam commoneo ut tam mihi quam vobis de bono hospicio curetis providere, quod in illud nostri socii utrumque confiteant ad honorem." MS. Lat. 8653, f. 32v.

[4] "De priore meo et meis confratribus pro anno sequenti scolatizandi licenciam optinens." *Salutaciones secundum usum Oxonie*, in the Bodleian, Auct. F. 3. 9, f. 423 (fifteenth century).

[5] "Ab incursu hominum et strepitu separata." Delisle, *Formulaire de Trèguier*, No. 15. "Longe a tumultu hominum sequestratus," says another model in the same formulary (MS. Lat. Nouv. Acq. 426, f. 13).

[6] "Vobiscum in eodem hospicio et etiam in camera et propono et desidero, si vobis placuerit, commorari." Ponce de Provence, in British Museum, Arundel MS. 514, f. 77v.; MS. Lat. 18595, f. 23v.; MS. Lat. 8653, f. 13; Arsenal MS. 3807, f. 62v.; Munich Cod. Lat. 22293, f. 283.

quently the student's father places him under the care of a relative or friend,[1] or he may ask the master to take special charge of the young man and his spending-money.[2] That indefatigable *rhetor*, Ponce de Provence, has left us models of all necessary correspondence between father and teacher—how the son is sent and received, the reports of his conduct and the appropriate parental admonition, statements of his progress and of the completion of his studies, and finally the letter sending the master his pay with the father's thanks.[3] In an example written at Cambridge a master is asked to permit a student to visit his parents,[4] while in another letter of the same collection a young man announces that he will take his master home with him for two or three days at Christmas.[5]

[1] "Mittitur filius ad amicum ut eum in pedagogio ponat." *Epistolares quedam formule . . . extracte ex maiorum litterarum collectorio scolaribus Lovanii in pedagogio Lilii lectarum*, of the end of the fifteenth century, in Munich Cod. Lat. 7082. f. 20v. (there is another copy in the Library of the University of Cambridge, Gg. v. 37). Cf. Munich Cod. Lat. 96, f. 39v.; Cod. Lat. 14708, f. 59v.; Cod. Lat. 22294, f. 42v. In a formulary from Orleans composed about the year 1230 (see Langlois, *Formulaires de Lettres*, III. 14), and preserved in the Bibliothèque de Rouen, MS. 1468, f. 363v., we find: "Exoramus quatinus expensis tali filio nostro apud vos ad studium misso vobis placeat (MS. placat) providere et omnia bene computetis; nam parati sumus ad mandatum vestrum persolvere quicquid iustum fuerit cum actione multimoda gratiarum." A Silesian student at Paris, near the middle of the fourteenth century, receives money weekly from the *hospes* with whom it is deposited (Jacobi, *Codex Epistolaris Johannis Regis Bohemiae*, Berlin, 1841, 58). See further Guido Faba, *Dict. Rhet.* 13, 14; *Zeitschrift des Vereins für Geschichte und Alterthum Schlesiens*, XXVII. 354; Wattenbach, *Iter Austriacum*, 52 (formulary from Naples, ca. 1230).

[2] "Et pourceo que jeo pensa qil demoura illeosques entre cy et Pasche sanz venir al hostel, si ay envoie oue lui vint soldes queux devers voillez prendre de luy et les gardre devers vous tanque soient ouelement despenduz, qar si la summe demouroit en son burse desmeme y les degastreit meintenant en chose qeu amonterent rienz." British Museum, Harleian MS. 4971, f. 20v. (a rhetorical treatise in French, with models, belonging to the reign of Edward III. Cf. Ellis, *Original Letters*, third series, I. x., note). John, archbishop of Prague, who studied at Prague, Padua, Bologna, Montpellier, and Paris, in the latter part of the fourteenth century, says that in his student days the masters had charge of the scholars' money, so that they rarely had anything to spend and could never buy sweetmeats (*Archiv für österreichische Geschichte*, LV. 327).

[3] British Museum, Arundel MS. 514, f. 70; MS. Lat. 18595, f. 16v.; MS. Lat. 8653, f. 9; Arsenal MS. 3807, f. 56v.; Munich Cod. Lat. 22293, f. 278. Letters of fathers sending their sons to school may also be found in Gaudenzi, *I Suoni*, 170; and in Hauréau, *Notices et Extraits de quelques Manuscrits Latins de la Bibliothèque Nationale*, IV. 271. In Munich Cod. Lat. 7082, f. 18, a master at Louvain returns a scholar "in artibus graduatus," but hopes he will continue his studies at Louvain or some other university.

[4] "Et, tres gentil sire, vous plaise entendre que nous en avons tres grant voulantee et regret pour parler avec notre chier filz, sil vous plaist. Car vrayement ja grant temps a que nous ne lui vismes mais. Si vous prions chierement, tres doulz et tres gentil sire, que vous lui vueillez donner licence pour venir a lostel de parler avec nous au plus tost que faire se pourra bonnement." British Museum, Harleian MS. 3988, f. 49 v. (forms of letters, in French, relating chiefly to affairs in the eastern counties in the reign of Richard II. Cf. Ellis, l. c.).

[5] "Mon tres doulz pere, sauve votre grace il nest pas vray ce que vous mavez certifiee par votre lettre, comme mon tres honeuree maistre vous dira plus plainement à Noel,

The letters of students make frequent mention of their books and studies, but do not add much to our information on these subjects. Books were, of course, in steady demand, and furnished a convenient occasion for appeals to the parental purse,[1] although it might also happen that they would be left in a chest at home until sent for.[2] Often the particular work wanted is ordered through some friend. Thus if the writer is studying grammar, he wants a *Grecismus* and a *Doctrinale* with the glosses copied in a large and accurate hand,[3] or more rarely a Priscian and *Argentea Lingua*.[4] When well advanced in grammar, he may aspire to study law,[5] and thus become a "refuge to his friends and a source of terror and confusion to his enemies."[6] Then, if a civilian, he will need "ten livres *tournois* for a certain book called Digestum Novum,"[7] or forty livres *parisis* for the Code, Digest and Institutes,[8] while if he forsakes these "clamorous subter-

quar il venra avecque moy pour sojourner et prendre desduit avec vous par deux jours ou trois, sil vous plaist." Ib., f. 45v.

[1] Compare the warning to certain students in Pez, *Thesaurus Anecdotorum*, VI. 2. 186.

[2] "Dilectioni tue notum esse desidero quod, cum me Parisius transtulerim ad hoc ut studiis vacem omni qua possum diligentia, libros quos in archa tua habes repositos habeo necessarios ad propositum studiorum," writes a student to his mother in Munich Cod. Lat. 6911, f. 53, and MS. Lat. 14069, f. 201. Cf. the request for "anomynale and a bok of sofystre of my brother Emundes" in the *Paston Letters* (ed. Gairdner), I. 82.

[3] Thus a student at Orleans sends to his friend "P. de tali loco," "Doctrinale cum magnis glosulis de litera veraci et legibili tam in nota quam in textu." Arsenal MS. 854, f. 214v. In the *Formulaire de Trèguier*, No. 10, a *Doctrinale* of this sort is sought by the schoolmaster of Prat. So in the same MS. of the Arsenal, f. 215, the student wants "Doctrinale et Grecismum et ceteros libros gramatice oportunos;" and in Ponce de Provence the *Grecismus* and *Doctrinale* are desired——British Museum, Arundel MS. 514, f. 72; MS. Lat. 18595, f. 18; MS. Lat. 8653, f. 11; Arsenal MS. 3807, f. 58. Cf. also *Zeitschrift für die Geschichte des Oberrheins*, new series, XI. 34.

On the *Doctrinale* of Alexandre de Villedieu and the *Grecismus* of Évrard de Béthune, the popular grammatical text-books of the thirteenth and fourteenth centuries, see Reichling, *Das Doctrinale des Alexander de Villa Dei* (Berlin, 1893), and Wrobel, *Eberhardi Bethuniensis Grecismus* (Breslau, 1887); and cf. Thurot in the *Notices et Extraits des Manuscrits*, XXII. 2, especially pp. 98–102. A fac-simile of a portion of a MS. of the *Grecismus*, showing the glosses, is given by Prou in his *Manuel de Paléographie*, second edition, 124.

[4] Hugh of Bologna, in *Neues Archiv*, XXII. 300.

[5] Guido Faba, *Dict. Rhet.* 61. Ponce de Provence, in British Museum, Arundel MS. 514, f. 72v.; Munich Cod. Lat. 22293, f. 280; Troyes, MS. 1556, f. 16.

[6] "Tuorum turris et refugium amicorum et inimicorum confusio atque terror." Ponce de Provence, l.c. Cf. *Codex Diplomaticus Silesiae*, V. 318, and the letter from Orleans cited below.

[7] "Quatinus michi in .x. libris Turonensium pro quodam libro emendo qui Digestum Novum dicitur dignemini subvenire." Laurentius of Aquileia, in MS. Lat. 11384, f. 36v.; also in MS. Lat. 16253, f. 12, except that here the text reads "libris Parisiensibus" (in full).

[8] "Patri ac domino metuendo B. civi Parisiensi, C. humilis eius natus scolaris (MS.

fuges"[1] for the canon law, he must have the Decretals at least[2] and perhaps the *Summa* of Gaufridus.[3] From Orleans a student writes that he has become famous in dialectic, and desires to study theology if only his father will send him enough money to buy a Bible.[4] The father praises his ambition but cannot afford the expense of a theological course—let the son turn to some of the "lucrative" professions.[5] There are, of course, numerous letters in praise of the *ars dictaminis* and its study,[6] and the "frivolous and empty quarrels" of the logicians are not forgotten.[7]

Usually the writers of these letters study their law at Orleans or Bologna, their medicine at Montpellier, and so on, but sometimes their statements add to our knowledge of the medieval curriculum and the branches that flourished at different institutions. Thus Thurot concludes from the models of Ponce de Provence that logic was not necessary for the study of law, but was demanded of students of medicine and was indispensable for theology,[8] and it is on such forms that Fitting bases his argument for the early pre-emi-

scolari) Ariliensis salutem cum reverencia filiali. Cum scientia sit nobilis possessio, illa est maxime appetenda que nobilissima reputatur. Hinc est quod in legum honorabili facultate propono ulterius desudare, quia sui possessores multum honoris consequuntur. Quare dominatione vestre suplicat devotio filialis quod (MS. qq) causa emendi Codicem et Digestum cum Institutionibus quadraginta libras Parisiensium michi mitere procuretis, scientes pro certo quod iste labor vobis et amicis nostris honorem et gloriam reportabit." Arsenal MS. 854, f. 214.

[1] "Clamosis tergiversationibus legistarum." Laurentius of Aquileia, MS. Lat. 11384, f. 59v.

[2] "Decretales in textu et glosa sufficienter correctas ad usum meum pro competenti precio emere procuretis." Id., MS. Lat. 14174, f. 126; MS. Lat. 11384, f. 55; MS. Lat. 16253, f. 23.

[3] Starzer and Redlich, *Eine Wiener Briefsammlung . . . des XIII. Jahrhunderts* (Vienna, 1894), 245.

[4] "Demonstratione presentis cedule noscat vestra paterna bonitas, pater karissime, quod ego sum Aurelianis sanitate corporea per Dei gratiam predictatus et in dyalectica taliter fundatus quod omnes scolares et etiam magistri dicunt me fore disputatorem optimum et sophistam, et multum desidero in sancta theologia de cetero prostudere. Michi mittat igitur, precor et moveo, paterna pietas unde possum Bibliam comparare et expensas habere, quamvis non plenarie, quoquo modo." Ponce de Provence, British Museum, Arundel MS. 514, f. 73; MS. Lat. 18595, f. 19v.; MS. Lat. 8653, f. 11v.; Arsenal MS. 3807, f. 59; Troyes, MS. 1556, f. 17. In Pez, *Thesaurus Anecdotorum*, VI. 2. 185, a student who has secured a benefice is required to learn the Psalter by heart.

[5] "Hoc requirit, sicut mihi dicitur, magnos sumptus. Audias ergo artes, fili karissime, vel actores vel phisicam vel aliquam scientiam lucrativam, quia non possem tibi magnam pecuniam ministrare." Ponce de Provence, Arundel MS. 514, f. 73v., and other MSS. as above.

[6] For examples see Valois, *De Arte Scribendi Epistolas*, 25–27; Pertz's *Archiv*, X. 559. Cf. also a letter in the Arsenal (MS. 854, f. 233), where "scolaris studens Parisius significat socio studenti Tholose quod dictator optimus venit Parisius, et ibi ad studendum venire non postponat."

[7] Petrus de Hallis, in *Fontes Rerum Austriacarum*, second series, VI. 117.

[8] *Notices et Extraits des Manuscrits*, XXII. 2.93, note.

nence of Pavia over Bologna as a centre of legal instruction.[1] Similar evidence has enabled Delisle to establish the existence of a flourishing school of rhetoric and literature at Orleans in the twelfth century,[2] while the later decline of the trivium there is seen in a letter of the early fourteenth century.[3] A careful study of the formularies would also show something as to the regions upon which the various universities drew most largely for students,[4] and might throw some light upon the matter of inter-university migration.

Letters from all parts of Europe testify to the expense attendant upon securing a degree. Thus a student at Paris asks a friend to explain to his father, "since the simplicity of the lay mind does not understand such things," how at length after much study nothing but lack of money for the inception banquet stands in the way of his graduation.[5] From Orleans D. Boterel writes to his dear relatives at Tours that he is laboring over his last volume of law and on its completion will be able to pass to his licentiate provided they send him a hundred livres for the necessary expenses.[6] A success-

[1] *Die Anfänge der Rechtsschule zu Bologna* (Leipzig, 1888), 80, 105.

[2] *Les Écoles d'Orléans au XII^e et au XIII^e siècle*, in *Annuaire-Bulletin de la Société d'Histoire de France* (1869), VII. 139–154.

[3] A certain P. of Salins (Jura) desires to give instruction in rhetoric and logic at Orleans, "ubi plures dicuntur trivialibus assidentes," but in response to his inquiries "G. Arelianis studens" writes: "Scicitatus sum quot et quanti forent Arelianis in trivialibus auditores, tandem pro facto compertum est hos scolares esse paucos et indigos nec non superficia rudimenta sectantes, quod eorum doctores intuiti ad reliquas convolant disciplinas. Igitur quamquam meus animus vestram gliscat presenciam, nullominus vobis instinctu consulo caritatis quod (MS. qq) Arelianis non curetis pro trivialibus edocendis venire, ubi non sunt plures qui subtiliter audirent sermonis vestri dogmata [venienda] veneranda." MS. Lat. 8653A, f. 16.

[4] Thus Delisle has pointed out on the basis of the Formulary of Tréguier that the youth from that part of Brittany frequented Orleans rather than Paris. The collection from Arbois (MS. Lat. 8653A), to which reference has frequently been made, indicates that Orleans was also the favorite resort of scholars from Franche-Comté, although Paris, Montpellier, and Bologna are also mentioned in the letters. We find Paris occupying a prominent place in forms from the upper Rhine (*Zeitschrift für die Geschichte des Oberrheins*, new series, XI. 34; Pertz's *Archiv*, XI. 503), and from more remote parts of the Empire (Pez, *Thesaurus Anecdotorum*, VI. 1. 427, 2. 14, 179 ff.; Jacobi, *Codex Epistolaris Johannis Regis Bohemiae*, 58; etc.), while German students are often represented as attending Bologna (*Das Baumgärtenberger Formelbuch*, Vienna, 1866, 317; *Codex Diplomaticus Silesiae*, V. 318; British Museum, Arundel MS. 240, ff. 122–123). In general evidence of this sort must be used with caution, as names of universities might be retained from older models, or well-known *studia* like Paris or Bologna might be inserted without their having any close connection with the region where the formulary took its present shape.

[5] Rockinger, *Briefsteller und Formelbücher*, 487. On inception feasts at Oxford compare the *Literae Cantuarienses* (Rolls Series), I. 416; and the *Paston Letters* III. 248.

[6] "Viris providis et discretis consanguineis peramatis A. et B. et C. cognomine Ro-

ful inception at Bologna is thus described by Buoncompagno: "Sing unto the Lord a new song, praise him with stringed instruments and organs, rejoice upon the high sounding cymbals, for your son has held a glorious disputation, which was attended by a great number of teachers and scholars. He answered all questions without a mistake, . . and no one could prevail against his arguments. Moreover he celebrated a famous banquet, at which both rich and poor were honored as never before, and he has duly begun to give lectures which are already so popular that others' classrooms are deserted and his own are filled."[1] Buoncompagno also tells of an unsuccessful candidate who could do nothing in the disputation but sat in his chair like a goat while the spectators in derision called him rabbi; his guests had such eating that they had no will to drink, and he must needs hire students to attend his classes.[2]

If we were to judge them by their own accounts, medieval students were models of industry and diligence, hearing in some in-

terellis, civibus Turonis, D. Boterel Aurelianis in ultimo legum volumine lectionibus elaborans, cum salute vite cursum prosperum et longevum Vestra noverit dilectio mihi cara quod infra mensem, favente Deo, finiem librum meum, quo finito licentiam in legibus adipisci potero, qua obtempta conscribi desidero venerabili collegio professorum. Sane cum tunc oporteat me facere sumptus graves, vobis supplico quod (MS. qq) in . c. libris Parisiensium vos habeam provisores, taliter quod, meo principio subventione vestra laudabiliter celebrato, vestre dilectionis affectum recoligens per effectum vobis impensius magis tenear obligatus." Arsenal MS. 854, f. 215. Cf. the Italian models published by Gaudenzi, *I Suoni*, 168, and the following from Montpellier: "Venerabili patri in Christo suo P., civi Bisuntino, G. studens in Montepessulano Porro nostis quod dudum theoricis et practicis laborans (MS. laborant) ad elicona medicine provear, cuius messis est copiosa. Propinquat nunc tempus quo predicatus honore magistrali repatriare decrevi. Placeat igitur paternitati vestre mihi plus solito pecunia subvenire." MS. Lat. 8653A, f. 9v.

[1] "Cantate Domino canticum novum, psallite in cordis et organo, cum cimbalis benesonantibus iubilate (*Psalm* cl. 4, 5), quia filius vester venerabilissimum celebravit conventum, in quo fuit innumerosa magistrorum et scolarium multitudo. Ipse vero querentibus et questionibus absque defectu aliquo satisfecit, nullus ei concludere potuit obiciendo, sed ille universis obiciendo conclusit et nemo fuit qui suis potuerit argumentis instare. Preterea famosum convivium celebravit, in quo tam pauperes quam divites melius quam unquam auditum fuerit honorati fuerunt. Item cum sollempnitate scolas regere celebres iam incepit, vacuavit scolas multorum, et habet plurimos auditores." Munich Cod. Lat. 23499, f. 6v.; MS. Lat. 8654, f. 11; British Museum, Cotton MS. Vitellius C. VIII., f. 94v.

[2] "Celebravit conventiculum, non conventum, in quo sedit tanquam hircus in cathedra et rabbi (MS. arabbi) fuit derisorie appellatus, quia non erat puer qui sibi de quolibet sophismate non concluderet manifeste et ipse in obiciendo procedere non sciebat. Invitati autem ad convivium taliter comederunt quod non habuerunt voluntatem bibendi. Item incepit regere cum quibusdam conductitiis et novitiis, quia nullum valet habere profectum nisi velit illum pretio numerario comparare." Ibid. (Cf. the *Novissima Rhetorica* in Gaudenzi, *Bibliotheca Juridica Medii Aevi*, II. 273, 282). This is followed by an ac-

stances at least three lectures a day and expecting soon to excel their professors as well as their fellows.[1] The *dictatores*, however, were well acquainted with other types of academic youth, who needed to be reminded that reward came, not from having been at Paris, but from profitable study there,[2] and many are the forms of warning or reproof that they have left us. Buoncompagno indeed has a rebuke for him who studies too much—who rises before the morning bell, is first to enter and last to leave the schools, spends the day in his room reading, ponders his lectures at meal-time, and even reviews and argues in his sleep—but he significantly adds that the same letter may be addressed in irony to one who studies too little.[3]

Letters to fellow-students occupy a considerable place in these collections, but they are confined for the most part to messages of condolence, introductions, requests for news, protestations of friendship, and similar commonplaces.[4] We also find students urging friends to join them at the university,[5] arranging to make the jour-

count of a candidate who answered satisfactorily the question set him, but, to the amusement of the audience, proved unable to explain a proposition which he himself had propounded to others.

[1] "Scolas commaneo frequenter, omni die ad minus tres lectiones mihi utiles a magistro et sociis audiendo, et spero dum ad partes natales rediero quod tantum profecerim quod non solum meos coetaneos sed eciam quosdam meos magistros in facultate scholastica valeam superare." Munich Cod. Lat. 2649, f. 50.

[2] Philippe de Harvengt, in *Chartularium Universitatis Parisiensis*, I. 53; Konrad von Mure, in Rockinger, *Briefsteller und Formelbücher*, 440; Wolfgang of Altaich, in Pez, *Thesaurus Anecdotorum*, VI. 2. 185, and Berlin MS. Lat. oct. 136, f. 112.

[3] "Littere quibus notantur gravamina que possunt de nimietate studii provenire. . . . Dicitur autem quod ante pulsationem initialis tintinabuli surgis preter consuetudinem ad legendum, in ingressu scolarum es primus et ultimus in regressu; postquam autem reverteris ad hospitium diem totum continuas in lectionibus quas audisti; immo, quod plus est, variis cogitationibus dum comedis anxiaris, et etiam in sompno, in quo animalium virtutum quies esse deberet, sub quadam imaginatione disputas et lectiones repetis dormiendo." Then, after describing the student's neglect of his personal appearance, he adds: "Nota quod premissa narratio destinari potest etiam illi qui *huc* et illuc vagatur et studere contempnit, et dicitur hoc species ironie in qua delinquens efficitur maiori pudore." Munich Cod. Lat. 23499, f. 4; British Museum, Cotton MS. Vitellius C. VIII., f. 93.

[4] These are particularly common in the various redactions of Bernard de Meung. Thus: "Socius socio consolans eum de morte socii sui" (MS. Lat. 1093, f. 62); "Scolaris sociis suis ut latores presentium secum in hospicium habeant" (British Museum, Add. MS. 8167, f. 179v.); "Scolaris amico suo" for news (Munich Cod. Lat. 96, f. 38); etc.

[5] Ponce de Provence in MS. Lat. 18595, f. 24v. Bernard de Meung in MS. Lat. 1093, f. 61v. (also British Museum, Add. MS. 18382, f. 94v.; Cotton MS. Vitellius C. VIII., f. 140): "Tuam ergo commoneo caritatem ut, relicta soli natalis dulcedine, mature te conferas ad urbem Parisius, ubi florent ambages artium et profunda scientia divine pagine cum decretis." An exhortation to come to Paris is also noted in *Zeitschrift für die Geschichte des Oberrheins*, new series, XI. 34; and in MS. Lat. 14069, f. 185, we read: "Cum igitur circumstancias ville Parisiensis scire meoque rescripto super hiis cer-

ney together,[1] or inquiring concerning the advantages of another place of study.[2] Reference has already been made to the practice of securing rooms through friends already at school; in case of the death or sudden departure of a student his effects were sent home by one of his fellows.[3] At Bologna, at least, it was customary for the companions of a departing student to accompany him on horseback some miles on the way, and we even find outlines[4] of a proper speech of thanks to be made to these *transcursibiles amici*[5] when they turned back. Like his modern successor, the medieval student seems to have been an inveterate borrower. Sometimes it is a book for which he asks, more commonly a loan of money until a messenger arrives from home, and models are not lacking for demanding back the money or the book.[6] We hear of a certain faith-

tificari desideres, innotescat tue dilectioni quod status terre bonus est, vinum et annona pro modico precio sui plenam exibent ubertatem, magistrorum etiam copia tanta super quod scolarium indigentia supprimatur, et—quid plura referam?—omnia se prospera sociis studere volentibus offerunt et iocunda." So from Leipzig in the fifteenth century "quidam scribit quodam socio hortando eum ut ocius beanorum spretis inepciis ad universitatem quampiam sese recipere festinet" (Munich Cod. Lat. 14529, f. 357). See also the *Rethorica Poncii* (no place, 1486; Hain, No. 13255), ff. 18, 20, where a friend is exhorted to come to Basel.

[1] See for example the correspondence of two German students planning to study canon law at Bologna, in British Museum, Arundel MS. 240, f. 122. One writes: "Patefecit mihi quorundam relatio quod tue voluntatis in hoc stabiliatur propositum ut ad Bononiense proficiscatis studium postquam estivi fervoris virtus per successionem auctumpni fertilis fuerit mitigata." The other will be glad to have his company; "in crastino beati Michaelis proximo tuum adventum desiderabiliter prestolabor."

[2] See the MS. just cited, f. 123, and particularly Guido Faba, *Dict. Rhet.* 38, 39, where a student at Bologna is compelled to leave because of the dearness of living and writes for information concerning conditions at Naples. Laurentius of Aquileia (MS. Lat. 14766, f. 119), represents a student at Naples making similar inquiries with respect to Bologna, while a Spanish redaction of Guido Faba (MS. Lat. 11386, f. 56) substitutes Salamanca for Bologna and Paris for Naples in the example cited from the *Dict. Rhet.*

[3] Delisle, *Le Formulaire de Trèguier*, No. 18; cf. also No. 11 and an unpublished letter in the MS. (MS. Lat. Nouv. Acq. 426, f. 9). An analogous letter to a student at Oxford, ca. 1331, is printed in the *Literae Cantuarienses* (Rolls Series), I. 417, and in the same collection (III. 334) is a long and interesting letter of the reign of Henry VII., written in English and describing the property to be packed and the commissions to be performed for a former student. See also the *Rethorica Poncii* (1486), f. 20v.

[4] "Arenga qua utitur de studio litterali revertens inter illos qui eum causa honoris per aliquot miliaria vel leucas associant in regressu." *Arenge composite a magistro Petro de Loro*, in the *Liber Epistolaris* of Richard of Bury, p. 25 of the copy in the Bibliothèque Nationale (MS. Lat. Nouv. Acq. 1266). Similarly the *Arenge* of Guido Faba, MS. Lat. 8652A, f. 30.

[5] The phrase is Buoncompagno's. Sutter, *Aus Leben und Schriften des Magisters Buoncompagno* (Freiburg i. B., 1894), 75.

[6] Bernard de Meung, in MS. Lat. 8653, f. 32v.; MS. Lat. 1093, f. 61v.; MS. Lat. 14193, f. 27; Munich Cod. Lat. 96, f. 37. Ponce de Provence, in British Museum, Arundel MS. 514, f. 78; MS. Lat. 18595, f. 24; MS. Lat. 8653, f. 13v.; Arsenal MS.

less Peter who borrowed ten livres *tournois* one first of January and soon afterward quitted Paris for Orleans, where the lender's friends are requested to hunt him out.[1] The regular means of collecting such a debt seems to have been through the bishop of the debtor's diocese;[2] at Bologna, however, the matter was taken in hand by the municipal authorities, who threatened, unless the debt were promptly paid, to make it good from the property of such of the debtor's fellow-townsmen as came within reach.[3]

For obvious reasons, the letters of medieval students do not have much to say of what Mr. Rashdall calls "the wilder side of university life." We find a Paris scholar complaining of the disorders of the schools and expressing fear of personal violence,[4] and a student at Toulouse writes that a certain P., against whom he had been warned before leaving his home in Narbonne, had taken forcible possession of his room and so disturbed him in his work that he would like permission to go home at Easter.[5] At Orleans a young man pleads for help from his father because, having quar-

3807, f. 63; Munich Cod. Lat. 22293, f. 283v. *Dictamen* from Louvain in Munich Cod. Lat. 7082, f. 11v. *Dictamen* "magistri Johannis" in MS. Lat. 16617, f. 224. Formulary from Toulouse, in Arsenal MS. 854, f. 223v. Stehle, *Ueber ein Hildesheimer Formelbuch* (Strassburg dissertation, 1878), 9. Munich Cod. Lat. 6911, f. 53; MS. Lat. 14069, f. 201.

[1] "Petrus, meus socius infidelis, cui decem libras Turonensium liberaliter mutuavi prima die Januarii, nunc instantis furtive dimisso studio Parisiensi Aurelianum se transtulit ad studendum. Quamobrem sapientiam vestram, que, etc. (*understand* supplico), quatinus de predicto scolari cautius inquirentes, si eum poteritis invenire michi sine mora vestris litteris declaretis. Nam Parisius proficiscar vel certum nuntium destinabo recuperaturus pecuniam prelibatam vestro auxilio mediante." Laurentius of Aquileia, in MS. Lat. 11384; also with Toulouse in place of Paris and Paris in place of Orleans in MS. Lat. 14174, f. 26, and MS. Lat. 16253, f. 14v. In MS. Lat. 14766, f. 118v., and in the British Museum, Harleian MS. 3593, f. 49, the student has left Paris for Bologna. See also *Bullettino dell'Istituto Storico Italiano*, XIV. 167.

[2] "Clericus episcopo ut cogat clericum reddere sibi pecuniam quam ei concessit." Bernard de Meung, MS. Lat. 1093, f. 57v.; MS. Lat. 8653, f. 31; Munich Cod. Lat. 96, f. 33v. Similarly Ponce de Provence, in British Museum, Arundel MS. 514, f. 83; ib., Add. MS. 8167, f. 172v.; MS. Lat. 8653, f. 15v.; MS. Lat. 18595, f. 28v.

[3] Guido Faba, *Dict. Rhet.* 97, 98, *Epistole*, 33. This is confirmed by the *Statuta Populi Bononiæ*, ed. Frati, II. 24, 29–32. On the collection of the debts of Bolognese students see also Giraldus Cambrensis, (Rolls Series), III. 289.

[4] "Cum ad presens intentus esse deberem studiis, urgencia me protrahunt negotia bellorum quorundam, scilicet scolarium nephanda atque maligna perversitas qui studia dissipant, et timor cottidianus ingenium meum distrahit, quem habere me cogit anxietas de insultacionibus malignorum." Munich Cod. Lat. 6911, f. 54.

[5] "Venerabili et discreto viro domino P., nobili burgensi Narbone, anchore spei sue, B. eius clericus, suus in omnibus. . . . Quando a vestra dominatione recessi, mihi districius precepistis ut P. societatem spernerem quantum possem; sed tanquam indiscretus vestrum salubre consilium non perfeci. Iustum est ut de hoc sentiam aliquod contra velle: ipse nanque P. tam inique facere non expavit quod proprium cameram dimittere sum cohactus, et quosdam socios meos oportuit facere illud idem, ita quod nunc cum filio

relled with a certain youth, as the devil would have it, he struck him on the head with a stick, so that he is now in prison and must pay fifty livres for his release, while his enemy is healed of his wounds and goes free.[1] That the pranks of students were not always severely judged we may perhaps infer from the letter of a professor of law at Orleans to a father at Besançon in which it is said that while no doubt the man's son G. was one of a crowd that had sung a ribald song on an organ, the matter was of no importance, as the young man's general record was good and he was making excellent progress in law.[2] Naturally, too, the examples of parental reproof have something to say of the evils of the time, particularly gambling and riotous living,[3] but in general the formularies reflect the more virtuous side of student life, and for a more ade-

domini et cum quibusdam mercatoribus de comedere in eo est. Unde cum occasione societatis predicti P. aliquantulum sum turbatus et quasi a studio deviatus, dominationi vestre supplico precibus subiectivis quatinus mihi dignetis declarare, si vobis placet, quod ad vos venire debeam in proximo festo Pasche." Formulary from Toulouse, Arsenal MS. 854, f. 232. A student makes a similar complaint of having been driven from his room in Munich Cod. Lat. 6911, f. 55, and MS. Lat. 14069, f. 181.

[1] "Cum essem nuper Aurelianis, pater karissime, rixatus fui cum quodam iuvene, sicut diabolus ministravit, et ipsum demum percussi cum baculo super caput, et propter vulnus sibi factum fui in Aureliani curia carceratus. Liberatus est quidem iuvenis et sanatus, et a me petunt pro expensis illius in banno curie libras Turonensium quinquaginta, nec antequam solute fuerint possum evadere carcerem supradictum." Ponce de Provence, in British Museum, Arundel MS. 514, f. 74; MS. Lat. 18195, f. 20v.; MS. Lat. 11385, f. 70v.; MS. Lat. 8653, f. 12; Arsenal MS. 3807, f. 59v.; Troyes, MS. 1556, f. 17v. Similarly Laurentius of Aquileia, MS. Lat. 16253, f. 13.

[2] "Talis professor legum actu legens Aurelianis, laudabili viro P. civi Bisuntino salutem cum dilectionis amplexu. Lingua tertia multos perdidit, ut scriptura perhibet sacrosancta (*Ecclesiasticus*, xxviii. 16). Proinde non debetis aurem inclinare credulam linguis obloquencium qui fame filii vestri G. mendoso (MS. mendenso) satagunt derogare susurro. Constat enim non fuisse diem profestum sed aprime festivum quo idem G. nec non plurimi scolares [et] organis armonicis decantarunt de scorto. Prorsus nihil est, cum ipse commendatur super mentis et corporis celibatu. Non igitur a prefato manum vestram pro linguis obtrectantium retrahatis, scientes quod in utroque iure proficit eleganter." MS. Las. 8653A, f. 10. What is meant by the contrast between "diem profestum" and "aprime festivum," I am unable to say.

[3] *E. g.*: "Lupanar in scolis et ludum exerces alee, litteralis scientie profectum abhominans"—British Museum, Cotton MS. Vitellius C. VIII., f. 141. "Nam omnino labore scolastico postrigato tempus tuum et alia que habes consumis, ut dicitur, pilas, Dianam, et meretricia frequentando"—letter to student at Orleans, MS. Lat. 15131, f. 180v. Cf. also Guido Faba, *Dict. Rhet.* 3, and the Bohemian collections of the fourteenth century analyzed by Palacky in the *Abhandlungen der königlichen böhmischen Gesellschaft der Wissenschaften*, fifth series, II. 259, and by Schlesinger in the *Mittheilungen des Vereins für die Geschichte der Deutschen in Böhmen*, XXVII. 16. See also Mathieu de Vendôme, ed. Wattenbach, 620–621.

The formularies have very little to say of the more innocent amusements of students. Examples of this sort are the refusal of a scholar's request for a dog, lest it furnish him occasion for waste of time (*Liber Epistolaris* of Richard of Bury, MS. Lat. Nouv. Acq. 1266, p. 81; also in a Cistercian formulary, MS. Lat. 11384, f. 195), and the request

quate portrayal of its vice and violence we must turn to the records of courts, the Goliardic literature, and the vigorous denunciations of contemporary preachers.

It is evident from this brief examination of the letters of medieval students that their correspondence has to do chiefly with the commonplace and everyday aspects of life at the school and university, and that in substance, though not in form, much of it would be almost as representative of the Harvard or Yale of to-day as of medieval Orleans or Bologna. Lambskin cloaks and parchment, the glossed doctrinal and the inception banquet, belong plainly in the Middle Ages and nowhere else, but money and clothing, rooms, teachers and books have been subjects of interest at all times and in all places. This characteristic of the letters is in some respects disappointing—we might have known quite independently, it may be urged, that the medieval student wanted money and tried to extort it from his father, borrow it from his fellows, or beg it from others; we might have known that they were robbed by highwaymen and rebuked by their parents. What a pity that out of such a mass of letters there are none that tell us in simple and unaffected detail how a young man studied and how he spent his day! To all this the answer is that under the conditions then prevailing very few such letters could have been written, and, if written, there was no reason why a matter of such individual and temporary interest should be preserved. It was precisely because they were trite and banal, because they voiced the needs of the great student body everywhere and always, that these letters and models were considered useful to others and hence were copied and kept. It is certainly worth something to us to know what were the commonplaces of existence in the schools of the Middle Ages, and to realize more vividly those phases of student life which we might otherwise lose from view. One may, of course, easily be deceived by the modern atmosphere with which such letters, read without reference to other sources of information, surround the medieval student, and yet from one point of view their value lies just here. The contrasts between the Middle Ages and the nineteenth century are broad and striking, in univer-

for the loan of a horse to ride on St. Nicholas' Day at Oxford: "Constanciam vestram quam diligo cordis et anime puritate deprecor incessanter quatinus equum vestrum in honore sancti Nicholay equitandum dignetur vestra dilectio mihi accomodare, super quem honorifice valeam equitare." Bodleian, Auct. F. 3. 9, f. 427. (fifteenth century). On the feast of St. Nicholas—the patron saint of scholars—as celebrated in the schools of St. Denis, see the forms printed by Hauréau, *Notices et Extraits de quelques Manuscrits Latins*, IV. 276. A letter entitled "Scolaris patri significans se eligendum episcopum puerorum" (Stehle, *Ueber ein Hildesheimer Formelbuch*, 9) seems to allude to the same occasion.

sities as well as in the world at large, and we need to be reminded again and again that the fundamental factors in man's development remain much the same from age to age and must so remain as long as human nature and physical environment continue what they have been. A just historical view requires accurate appreciation of both the constant and the varying elements in the history of civilization; the present article may perhaps serve to illustrate something of their relative importance in the life of the medieval student.

CHARLES H. HASKINS.

THE PRUSSIAN CAMPAIGN OF 1758[1]

II.

THE repeated disasters of the French arms were no surprise to Cardinal Bernis. With the low opinion which he held of Richelieu and the other generals nothing else could be expected by him, but if their repeated failures vindicated his own claims as a prophet, they multiplied his cares as a minister. Hence he began very early in the year, before Crefeld, even before the retreat over the Rhine, to agitate for peace. In long letters to Count Stainville and Kaunitz he set forth the dark aspect of affairs; urged the hopelessness of all plans for wresting territory from the king of Prussia; suggested the mediation of Holland, Spain and Denmark; and while protesting his perfect loyalty to the treaty or treaties of Versailles, insisted that the next campaign ought to have no other object than an honorable peace. As an honorable peace he was willing to regard one which exacted no other sacrifice from Frederic than the restitution of Saxony and Mecklenburg.[2] Some of the grounds for his depression were the danger of the colonies, the state of the finances, the unpopularity of the war, the unfitness of the generals, the difficulty of getting the Netherlands and the apparent invincibility of the king of Prussia. But Bernis was not systematic or consistent even in his efforts for peace. He professed in general to speak only for himself, held a different language to Stahremberg and discredited his own cause by the peevish and unmanly tone of his letters. Hence the court of Vienna, while consenting to a reduction of the annual subsidy due from France, insisted resolutely on the prosecution of the war. Louis XV. and Madame de Pompadour were not less firm. The new treaty between England and Prussia was an open challenge to the other side, and the confidence even of Bernis seemed for a time to be revived by the failure of Frederic at Olmütz and the vigorous measures taken by Belleisle to restore the credit of the French arms.

Early in the year it had been arranged that the army of Soubise should be dispatched to Bohemia. But in consequence of Cler-

[1] Copyright, 1897, by Mary McArthur Tuttle.

[2] To Stainville 14 January, 7 April; to Kaunitz 17 March 1758. Schaefer, II. i. 525–527, *Einige neue Actenstücke*, 54 seq., *Mém. de Bernis*, II. 43 seq., 413, 418, etc. The influence of Austria had lately procured Bernis the cardinal's hat.

mont's retreat behind the Rhine the plan was given up by mutual consent[1]; and on the advice of Belleisle the corps was ordered to return to Hesse, where it could again live at the cost of the enemy, and make a useful diversion in favor of Clermont. When the news of the battle of Crefeld reached Paris orders were sent to hasten its departure. It set out therefore from Hanau, where it had been reorganized and strengthened, on the 9th of July, and two weeks later occupied Cassel. The few battalions of Hessian troops, mostly militia, were unable, though they made one gallant fight near Sondershausen, to hold the field against twenty-five thousand; the landgrave became again a fugitive; and the French settled themselves securely in the defenceless country. This alone was embarrassing to Ferdinand, but at the same time the enemy before him began also to act. Clermont had just turned over the command to the Marquis of Contades, the senior lieutenant-general, a tried soldier of excellent character, but unendowed with genius and destitute of friends at court. The army had been reinforced, and the new commander promptly took the offensive. His movements were conducted with considerable skill. He offered battle once and declined it once; but having the advantage of numbers tried to get between Ferdinand and the Rhine, and sent out detachments to destroy the bridges. If he failed in these ends, he accomplished his main purpose; the allied army was steadily forced back; and it was even reckoned to the credit of Ferdinand that he was able to extricate himself from the net spread by the enemy and recross the Rhine near Emmerich without serious loss. The crossing was completed on the 10th of August. The garrison of Düsseldorf also escaped. The prince next fell back to Coesfeld, between the Rhine and the Ems, where the English auxiliary force joined him, and where he proposed to make a stand for the defence of Westphalia. But Contades also crossed the Rhine a week later, was himself reinforced by a corps of eight thousand Saxons, and pushed on to complete the work.[2] The situation was critical for Ferdinand; and the Hanoverian ministers, already alarmed by the forays from Soubise's army, were now thrown into a panic.

Even more sinister was the news which came from the east. Since the fall of Königsberg half a year had elapsed; and although the Russians had not been very active, they had also not been idle. The occupation of Preussen completed, they next took possession of the line of the Vistula from Thorn to Elbing; in complete indiffer-

[1] See Arneth, V. 383.

[2] G. S., II. 134–135, estimates Ferdinand's strength, after the arrival of the English contingent, at 50,000; that of Contades at 75,000; and that of Soubise at 25,000.

ence to Polish neutrality the space between the Vistula and the Warta was next traversed; and while the main army made its leisurely marches, the Cossacks and other light troops shot out into Pomerania in search of plunder and adventure. It was now the month of July. The natural sluggishness of such an unwieldy army with its imperfect organization and inadequate trains, the timidity or indolence of Fermor himself, the difficulty of finding supplies in so thinly peopled a country as Poland, and controversies about the eventual line of operations to adopt—all these explain without excusing the extreme procrastination of the Russians.[1] But they had as yet no resistance from an enemy. The only available Prussian force, the army of Pomerania, now under the command of Lieutenant-General Dohna, though it raised the siege of Stralsund when Fermor crossed the Vistula, and releasing the Swedes, turned against the more dangerous foe, numbered less than twenty thousand men, and was too weak for open battle, or for any service except disputing the passage of the Oder, and checking the forays of the Cossacks. Accordingly, Fermor crossed the Warta, as he had crossed the Vistula, unopposed; and early in August re-entered Prussian territory near Meseritz. This movement seemed to indicate a plan to pass the Oder near the city of Frankfort, and then perhaps to reach out a hand to the Austrians. Dohna hurried up the stream to offer such resistance as he could. But Fermor changed his course; re-crossed the Warta; and along the right bank of that river moved directly upon the fortified city of Cüstrin, the chief obstacle that stood between him and the capital of the Prussian kingdom.

This town lies on an island formed by the river Oder and the two arms into which the Warta divides shortly before its junction with the Oder. The works, which entirely enclosed it, though antiquated in style, were still of considerable strength, and able to delay if not to thwart the designs of an enemy. A bridge connected the city with the left or west bank of the Oder, where there was a considerable suburb. The only approach to the fortress from the east was along a narrow causeway built through swamps and morasses, and of course easy to defend in case of an attempted assault. But an assault did not enter into the Russian plans. When on the fifteenth of August Fermor's army came within sight of the city, the few Prussian troops posted in and about the suburbs hastily retired behind the walls of the fortress; whereupon the

[1] A detailed and seemingly accurate journal of Fermor's movements is in Tielcke's *Beiträge zur Kriegskunst*, Vol. II. The author, a Saxon officer, served with the Russians.

enemy being without heavy guns which could hurt the works themselves, began a fierce and indiscriminate cannonade with their field pieces, soon set fire to the unhappy town, and destroyed it almost to the last house. There was little or no loss of life. The inhabitants fled across the Oder with what they could hurriedly save from the flames; but the smoking ruins of Cüstrin told a bitter story, which the Prussian soldiers and the Prussian people long remembered. In the course of the following days the Russians made considerable progress toward the works themselves, which were uninjured. Trenches were opened and batteries were placed as advantageously as possible; while lower down the river preparations were made for throwing a bridge across, in case it should be deemed advisable to push on to Berlin before the siege was concluded. Dohna, who had promptly returned from Frankfort, had his little force judiciously disposed on the opposite side of the stream. In the irregular wooded country east and north of the ruined town, on a line several miles long, lay the Russian host, ill-fed, ill-disciplined, impatient for action, and overwhelming in numbers, an enemy whose cruelties excited in the households of Prussia the wildest feelings of horror and alarm.

This was the situation when Frederic came to the rescue. After the retreat from Olmütz he had remained about two weeks in the neighborhood of Königgrätz, ready and even anxious for a battle if it could be had on reasonable terms, yet compelled to choose his positions with the utmost care lest he be taken at a disadvantage. Daun pursued his usual tactics with his usual skill. In the course of the intricate manœuvres Frederic managed to send his trains and heavy guns and wounded back to Silesia in charge of General Fouqué; and early in August he followed with the rest of the army, reaching Landshut on the ninth. Two days later he set out with fourteen thousand men for the Oder. His original plan was to join forces with Dohna at Crossen, and to give battle to the Russians in that neighborhood, toward which it was supposed they were advancing; orders were issued, money was spent, and time was lost in consequence of this error, which was excusable. But on the way it was learned that Fermor had turned to besiege Cüstrin, and Frederic could only follow Dohna down the river to the real point of danger. On the twenty-second of August, after a march of one hundred and fifty miles in eleven days, the weary troops reached Golgast, a village two or three miles west of Cüstrin. Frederic himself with a small escort had arrived the day before.

The course of action which he now adopted was marked by even more than his usual audacity, and is perhaps explained by the con-

temptuous opinion which he had of the Russians as soldiers. According to his delusion Fermor's army was little more that a horde of nomads, who would fly before the first onset of civilized troops. He seems to have been impatient with Dohna and with the commandant of Cüstrin, and to have treated them with rudeness, because they had not acted on the same assumption and thrown caution to the winds. It is stated that Keith, who had served with the Russians, warned Frederic not to underrate their fighting powers.[1] Lloyd had a very high opinion of their infantry, which he held to be superior to any other in Europe.[2] This was an exaggeration, for the Russian soldiers were deficient in intelligence and in dash or *élan;* yet it was a pardonable exaggeration, since even in 1758 they were known for a certain iron tenacity, a certain fatalistic desperation, which in great crises made them the most obstinate of enemies. But all this Frederic refused to believe. His chief concern was lest the Muscovites should escape; and accordingly he adopted tactics designed to make their retreat difficult in case they should lose the day, hoping thus to annihilate as well as to defeat them. Instead of marching through Cüstrin, therefore, and attacking them directly in front, he proposed to get into their rear, or at least between them and their natural line of retreat, before offering battle. This involved a very wide detour and the construction of a temporary bridge over the Oder. Güstebiese, a point some fifteen miles down the river, was chosen for the crossing; the march of the troops began in the night of the twenty-second; the pontoons were easily laid the next morning; and without any interruption from Fermor, who refused to believe the reports of his own scouts,[3] the little army safely passed over to the right bank of the stream. The following day at noon the march was resumed, the general direction being southeast. One might say that this completed the second quarter of the great circle which the Prussians were describing about the enemy. Along the whole route travelled by the army since crossing the Oder stories were heard of the ravages of the Cossacks. Peasants came into camp crying to the king for protection. Even the stern heart of Frederic was touched with pity by these sufferings, but with this was mixed a feeling of horror and indignation toward the authors of them; so that while he consoled the victims with friendly words, he also assured them that relief and revenge were near. Toward evening of the twenty-fourth the army reached the little river Mietzel, a tributary of the Oder, where with the right

[1] See Varnhagen von Ense, *Ausgew. Schriften*, XIII. 141.

[2] Lloyd, I. 145, 146.

[3] See Masslowski, II. 153. This is contrary to the usual version, which makes the Russians entirely ignorant of Frederic's movements.

resting on Darrmietzel it passed the night. The next day the battle was expected. At nine o'clock of that anxious night, while the tired soldiers were sleeping beneath the August sky, and the sentries were vigilantly pacing their rounds, Frederic threw off his many cares, turned quietly to letters, and composed an imitation or variation of one of the most exquisite odes of J. B. Rousseau.[1]

In the meantime Fermor had changed his own position to suit the supposed designs of Frederic. Suspecting that the passage of the Oder would be attempted at Schaumburg, he formed his army in order of battle between the village of Zorndorf and the Mietzel, with its right resting on that stream and the front towards the west, that is, toward the quarter whence the enemy was expected. But Frederic's march on the opposite side of the Mietzel had carried him completely around Fermor's right and to a point practically in his rear some distance higher up the stream. His plan now included a further movement in the same direction. Before daybreak the next morning the foot crossed the Mietzel at Neu Damstadt mill, and burning the bridges behind them, proceeded in two columns to complete the third quarter of the circle, the course being south and west or toward Cüstrin; while the cavalry, passing the stream still higher up, and thus making a still wider detour, tended toward the same quarter. About eight o'clock the several divisions came together at the edge of the great wood through which they had marched; were skillfully fused into two columns; and then pursued their way westward to the open ground between the Warta and the Mietzel. As formed for action the Prussian army had its right on the village of Wilkersdorf, and the line stretched thence westward behind Zorndorf to the Drewitz forest on the left. It faced nearly due north. The tactical advantage of this position was that the Russians would have no line of escape if defeated, for the Mietzel was impassable without bridges, and these had been destroyed, while the route toward Landsberg, on the Warta, would be barred by the victorious army of Frederic; the latter, however, could fall back upon Cüstrin in case of disaster. As soon as Fermor discovered the enemy across the Mietzel he completely reversed his order of battle, so that what was his rear became his front, advancing at the same time somewhat toward the east; but when Frederic's march continued, and his purpose became clearer, the Russian commander again adjusted his position until he had a line looking directly south. The Mietzel was in his rear. The army

[1] Deux strophes de l' ode de J.-B. Rousseau au comte de Sinzendorff, corrigées la veille de la bataille de Zorndorf, 24 August 1758, 9 p. m. *Œuvres de Frédéric*, XIV. 175. Voltaire's ridicule of these stanzas perhaps suggested this ambitious attempt at "correction."

was posted on irregular ground, considerably elevated in places and protected by an extensive morass, the Zaberngrund, on the right. Colonel Masslowski proves conclusively that the famous *carrée* or hollow square, on which so much ingenious reasoning has been spent, gave way before the battle to the ordinary formation in a first and second line.[1] The effective fighting force was about 42,000 men.[2] There was a deficiency in cavalry, for the best mounted regiments had been sent on an expedition down the Oder, and were cut off from their comrades by Frederic's movement. But in artillery the Russians were very strong. On the other side the conditions were reversed; the Prussians had comparatively few guns, though those which they had were of superior quality, but they had an abundance of cavalry, including some of the most famous regiments of the army. Their total strength was probably about 32,000 men.

The battle which ensued is described in a few words by saying that Frederic's oblique method of attack was this time less successful; that some of the Prussian infantry behaved badly, and that the army was saved from destruction by the regiments of horse which at two great crises Seydlitz opportunely led against the enemy. It was nine o'clock when the action began with a heavy cannonade, the Prussian guns being massed on the left, whence their fire was very effective. Under cover of this, and preceded or accompanied by a battery or two, the vanguard under Manteuffel filed around the burning village of Zorndorf, which the Cossacks had set in flames, and advanced toward Fermor's extreme right, which the king had chosen for attack.[3] The vanguard was to be followed by the infantry of the first line of the Prussian left, which was commanded by General Kanitz. Next was to come the second line, and thus successively, forming and moving *en échelon*, the active columns were to fall upon the Russian right; roll it up as the Austrians had been rolled up at Leuthen; then to turn upon the centre and destroy or force the surrender of an army which in the hour of defeat would have no chance of escape. But Kanitz was either tardy in his movements, or swayed too far toward the right, the result being a dangerous gap between his columns and the vanguard. The Russians saw their advantage. They promptly threw forward the few squadrons of horse stationed on their right, which with wild cries of exultation plunged into the ranks of the ill-formed Prussians. The foot of the first line followed this example, and the second line ad-

[1] II. 166. [2] Ibid., II. 156, 157.

[3] On the wisdom of this choice there has been some controversy. Cf. G. S., II. 264; Tielcke, *Beiträge*, II. 147 n., etc.

vanced in support. The vanguard was overwhelmed and broken up by the shock; the battalions hurried forward by Kanitz were repulsed; twenty-three guns were lost; and the Russians still pressed onward toward Zorndorf. But their impetuosity proved their ruin. Far around on the extreme left of Frederic's original line sat General Seydlitz with thirty-one squadrons of horse. He watched the progress of the enthusiastic Russians without dismay, for he saw them getting farther and farther from their supports and losing discipline in their mad eagerness. He chose his own time, ignoring it is said even the repeated orders of the king, and when the time came he let loose his troopers, who successfully passed the Zaberngrund, a deep hollow full of obstructions, and fell with terrific force upon the flank of the enemy. Some of the Russian infantry regiments made a good resistance and fought even when falling back. Others showed less steadfastness, and when Seydlitz was reinforced by fifteen more squadrons drawn from the right a panic ensued in the enemy's ranks. They fled to their camp half crazed with fatigue, alarm and thirst; gorged themselves with brandy from the commissary wagons; and almost unresisting were sabred down by hundreds. At length, and after the greatest efforts, their officers got the survivors behind an impassable morass, the Galgengrund. The pursuit came to an end. Seydlitz retired behind Zorndorf with his gallant riders, and by noon the battle on this part of the field was over. The enemy's right was nearly destroyed, but his left was still intact, while Frederic saw the infantry of his left broken in ranks and spirits, and his plan of battle ruined.

The king now turned his attention to the other extremity of the Russian line, the left. This was formed by the separate corps known as the corps or army of observation, which under the independent command of Count Browne had only just arrived from Russia, and numbered about 10,000 men. During the engagement of the forenoon Fermor, who was not only the commander-in-chief, but in the division of work had special charge of the right wing, was absent from the field, and left his subordinates to carry on the fight without that unity of action which comes from the direction of a single will.[1] But Browne was a man of different stamp. When Frederic took up the fight in his part of the field, and sent out a battery to cannonade his ranks, Browne ordered forward his cuirassiers, who charged the Prussian right, broke up two regiments of foot of the first line, and penetrated even to the second line, when they were arrested by the fire of heavy guns and a counter-charge of cavalry, and retired to their old position. There they were

[1] Masslowski, II. 174, 175.

reorganized, and, supported by Browne's infantry, again charged the enemy. At first they swept everything before them. As on the left, Frederic's infantry acted badly, could not be kept up to its work, and in some cases refused to obey its officers. Then Seydlitz came again to the rescue. Having collected sixty-one squadrons of horse he charged the eager columns of Browne as he had earlier charged those of Fermor, and with nearly the same degree of success. But the struggle was more desperate. The Russians fought like fanatics; and though they were driven back, the battle degenerated into a hand-to-hand fight between individuals, in which the fiercest passions were displayed on both sides, and scenes of almost incredible ferocity occurred. Browne's military chest was captured, and he himself received a dozen wounds. Toward nightfall, however, the Russians succeeded in rallying a few regiments near the village of Quartschen, which put a check to the further progress of Seydlitz.[1] The cavalry, worn out by its terrible labors and unable to make headway in the swampy ground, fell back to give room for the final attack by infantry, which Frederic ordered about seven o'clock. The attacking force consisted of battalions from both the right and the left. General Forcade bravely renewed the fight with the column which he commanded, without, however, shaking the obstinate firmness of the Russian regiments which Demiku had drawn together. But the rest of the Prussian foot under Rauther again quailed, and could not be brought to face the enemy. With this lame conclusion the day of carnage came to an end.

In the disorder and uncertainty concerning details of this battle it would be hopeless to expect accuracy in the figures of losses. The Prussian staff history puts that of the Russians in killed, wounded and prisoners, including officers and men, at about 21,000; that of Frederic at not much over half as many. It adds that the Prussians took 103 cannon and 27 flags, the Russians 26 cannon.[2] Frederic also had the pleasure of receiving several of the enemy's generals as prisoners of war, and of consigning them to dungeons in the fortress of Cüstrin, because, he told them, all of the houses of the city, which might have afforded them more comfortable quarters, had been destroyed by their orders. Darkness and general exhaustion having put an end to the battle, which had lasted for nine hours, the armies took position for the night. The Prussians slept on their arms behind or just west of the village of Zicher, on which Browne's extreme left had originally leaned, and Wilkersdorf, which

[1] This is insisted on by Masslowski, II. 178, and seems to be confirmed in the brief and not very clear "Relation de la bataille de Zorndorf" of Frederic himself. *Pol. Cor.*, XVII. 191. Cf. Schottmüller, *Die Schlacht bei Zorndorf*, p. 62.

[2] G. S., II. 257. Masslowski, II. 187, reduces the Russian losses to 16,000.

had been the right extremity of their own battle order; the Russians, in front of Quartschen and thence toward the Zaberngrund. Each army was thus in a position at right angles to that of the morning; but as the Russians occupied the most hotly contested portion of the field, they had a certain pretext for claiming the victory. The next morning at daybreak Fermor withdrew behind the Zaberngrund, which was a protection to his front, while the Drewitz wood was at his back; reorganized his shattered regiments; formed again for battle, and awaited the enemy. Frederic moved toward him, and an artillery duel was engaged across the Zaberngrund. But beyond this and a few cavalry skirmishes nothing took place. All through this day, the twenty-sixth of August, the two armies watched each other, both weary, both short of ammunition; the Russians willing to get away without further bloodshed, and Frederic now willing to let them get away. Accordingly early the following morning Fermor got his army under way, and without any interference from the Prussians moved on the arc of a large circle, between them and Cüstrin, to Klein-Camin. Here his heavy baggage, forming an immense wagon train, had been sent several days before, and fortunately had been overlooked by the enemy. At Klein-Camin the army was again drawn up for battle, though its line of retreat was now open. But neither party was more eager to fight than the day before. Frederic shifted his position to Tamsel, near Cüstrin, and allowed Fermor to choose his course. Thus during these few days the two armies had swung completely around each other like partners in a dance; had fought the bloodiest battle of the war; and had apparently gained nothing, each side calling itself the victor.

Yet although the battle was drawn, the campaign was decisive. Cüstrin was saved, and the Electorate was for the present spared an invasion by such rude enemies. The Russian army was not destroyed, but its fighting spirit, or that of its commander, was gone; and after two days at Klein-Camin, it fell back to Landsberg on the Warta, where it remained inactive through the month of September. But for Frederic and his men there was no rest. As was foreseen, the enemies whom he left behind on his departure for Cüstrin hastened to take advantage of his absence, and Prince Henry's situation became critical. The army of the Empire under the Prince of Zweibrücken had been reinforced by Austrian troops until its numbers reached upwards of forty thousand, and early in August it invaded Saxony at several points.[1] It was impossible for Prince

[1] Some estimates put the numbers as high as 50,000; Prince Henry modestly said 38,000. To Frederic, 30 August, 1758. Schöning, I. 252, 253.

Henry to defend so long a frontier with only twenty thousand men. But he manœuvred obstinately and skilfully for time; kept his little force distributed in chains or groups of well-selected posts, from which they could not easily be dislodged but could quickly be concentrated; expanded or contracted his line according to need; and showed himself alert, vigilant, self-possessed. The superior numbers of the enemy only succeeded in forcing him back from one strong position to another, and he showed his teeth viciously even when falling back. Not being able to defend all of Saxony, he had to choose what he would defend to the last. Frederic had repeatedly enjoined him not to allow himself in any circumstances to be drawn away from the Elbe; and by the nineteenth of August the prince had his forces pulled together more compactly about Gross-Sedlitz, above Dresden. Pirna and the fortress of Sonnenstein were held by him. Soon afterwards the enemy also concentrated on the Elbe. Zweibrücken took up his headquarters at Struppen above Pirna, and a number of bridges thrown across the stream gave ready communication with the right bank. In this situation the two armies faced each other for more than a week. The prince blocked Zweibrücken's road to Dresden indeed; but the eventual outcome of the affair seemed to depend, for both alike, on the plans and movements of the army under Daun.

This officer had won much glory by the bloodless relief of Olmütz, and Belleisle regretted that he could not command on the Rhine at the same time as in Moravia.[1] Even greater things were now expected of him. While his own skilful measures had thwarted one enterprise of Frederic, and Fermor's invasion of the New Mark called him away for another, the Austrian Fabius seemed to have a splendid chance for his favorite policy of carrying on war without fighting. The empress-queen thought a battle might be risked if the marshal should happen to run upon an enemy in the course of his next movements—an audacious conclusion which she supported in a long letter with arguments drawn from the history of Austria and the state of all Europe; it was a characteristic appeal to this master of seventy thousand veteran soldiers.[2] But on one point general and sovereign were agreed. Daun's plan of moving first into the Lower Lausitz and getting there a base for future operations, instead of following Frederic into Silesia, bristling as it did with strong fortresses, found warm approval at Vienna, and was adopted. After the relief of Olmütz, General Deville had been sent with a small force into Upper Silesia to invest Neisse. General

[1] To Stahremberg, 9 July 1758. Arneth, V. 385.
[2] 27 July 1758. Arneth, V. 394–401.

Harsch was now detached in like manner to watch the frontier between Bohemia and Silesia. With the main army Daun then entered Lausitz; reached Zittau the seventeenth of August, where a magazine of supplies was begun; and three days later was at Görlitz. From here he had the choice between three courses of action. He could try an invasion of Silesia, which was protected only by the inferior force of Margrave Charles and Zieten; or co-operate with Zweibrücken in an attempt on Dresden; or push on northward into Upper Lausitz, and possibly toward Berlin, as a more effective diversion for the Russians. It was no part of his plan to have Fermor give or accept battle. He wrote the Russian general a letter warning against such a hazard, but it fell into Frederic's hands, and was ironically answered in Fermor's name after Zorndorf. What Daun preferred was a game of shuttlecock, with Frederic madly flying back and forth between two hostile armies, each of which would advance when he turned upon the other, and retreat when he turned against itself, until he was worn out by this fruitless oscillation between two elusive enemies. Frederic had early predicted Daun's movement on Zittau, and had expected the adoption of tactics such as these. "I hope," he wrote, "to defeat either the Russians or the Austrians, whichever party gives me the first chance."[1] But instead of deciding promptly when every hour was precious, Daun remained six days at Görlitz undecided. He sent out detachments in one direction and another, which levied contributions on Prussian subjects, while Loudon captured the little walled town of Peitz in the circle of Cottbus with its handful of invalids. And he corresponded industriously with Vienna.

Finally both Daun and the empress-queen came to the conclusion, and at the same time, that the road to Dresden was the road to glory.[2] The next move accordingly was to Bautzen, in the neighborhood of which several more days were passed and more correspondence was had, alike with the empress-queen and with the commander of the army of the Empire. Daun's plan was to cross the Elbe at Meissen below Dresden, and fall upon Prince Henry in the rear, while Zweibrücken attacked him in the front. Foreseeing such a move, the prince reluctantly gave up his position about Pirna, and in the night of the thirty-first of August fell back to a

[1] To Prince Henry 28 July 1758, while he was still in Bohemia. Tempelhof thinks the common cause would have been better served by Fermor if he had not risked a battle, since the loss of it gave Frederic a chance to thwart Daun's whole plan; I. 235.

[2] Arneth, V. 404. Deference toward France, who through her ministers and ambassadors had never ceased to urge that the release of Saxony, not the reconquest of Silesia, ought to be the first object, may have had something to do with this decision. Cf. Stuhr, II. 1, 5, etc.

new one nearer Dresden. This delicate movement in the face of a stronger army was effected with the utmost precision, and without the loss of a man. The new line stretched from the heights of Gahmig as a centre to the Elbe on the left and to the battlefield of Kesselsdorf on the right;[1] and in addition to its strength as against Zweibrücken, it had the further advantage that the Prussians could not now be cut off from Dresden by Daun. Pirna, of course, was sacrificed, and with it the Sonnenstein. The army of the Empire, leisurely advancing, stretched itself out along the site of the historic camp of the Saxons in 1756. And then another pause ensued. "I have now to confine myself," wrote the resolute prince, "to defending Dresden and to maintaining myself with honor against two armies, either of which alone is strong enough to require all my efforts."[2] But the discord and procrastination of his enemies gave him relief. Daun had advanced as far as Radeberg, and had his bridges ready to throw over the river, when he received word that Zweibrücken would not take the part assigned to him in the plan, and preferred a combined movement against Dresden from above and on both sides of the river. To the great disgust of Maria Theresa the field-marshal yielded.[3] He moved his army by Radeberg to Stolpen directly east of Dresden, and not far from Pirna, the headquarters of Zweibrücken. Prince Henry shifted some of his troops about to meet this new situation.

It is needless to say that the time thus wasted by Daun was a precious gain for Frederic. In pursuit or rather observation of the Russians he had advanced as far as Blumberg, and wrote on the first of September that he hoped to push them beyond Landsberg by the sixth, when he would set out for Saxony.[4] But the next day, in consequence of an urgent letter of Prince Henry, he decided to start at once. Leaving some sixteen thousand men under Dohna to keep watch of Fermor, the king returned with the rest to Cüstrin, and thence hastened by almost incredible marches toward the new point of danger. His course lay directly southward through Lausitz to the Elbe above Dresden. On the ninth he was at Grossenhain, where the roads from Bautzen, Torgau and Dresden intersect, and the same day pushed forward to Gross-Dobritz, only a dozen miles from the

[1] Tempelhof, II. 252.

[2] To Frederic, 2 September 1758.

[3] The reason assigned in the text for Daun's change of plan is the one which he himself gave to Mortazel, the French military plenipotentiary (cf. Stuhr, II. 22, 27) and is the one which Arneth adopts. But Stainville represents the marshal as reporting to Vienna that the approach of Frederic was the motive. Stuhr, II. 23. Daun could have had no news of the king's plans on the third of September, but he might have had news of the battle of Zorndorf, and drawn conclusions.

[4] *Pol. Cor.*, XVII. 204.

capital. Here, at last, while awaiting the enemy's next move, he could give his men a little rest. And here he was finally joined by the margrave Charles, with the troops left behind in Silesia just a month before, a reinforcement indispensable to his further plans, but long delayed by the exasperatingly slow movements of the margrave. Zieten also came, and later Marshal Keith. Although he had to detach five thousand men toward Berlin on account of the sudden approach of the Swedes, and cried out with bitter humor that his foot-soldiers were fast becoming mere postillions,[1] Frederic was now strong enough to feel confident of the issue if he could only get a fair battle. But this was the old problem. It was the same old problem because the king had before him the same cool, wary, cautious general, a general without ambition or enthusiasm, content to forego the personal renown which comes from dash, energy and enterprise, while he served his mistress in his own obstinate manner. Daun had no intention of giving up his position at Stolpen to please Frederic or to show his courage. He called in Loudon from Görlitz, and constructed an impenetrable abatis in front of his camp. In this secure shelter Daun sat a whole month, indifferent to all the manœuvres and challenges of Frederic, to the impatience of the empress-queen, to the appeals and exhortations which reached him from the camps of the allied armies. The great advantage of this unheroic policy was that it permitted Generals Harsch and Deville to prosecute the siege of Neisse without interference from Frederic.

HERBERT TUTTLE.

[1] Frederic to Prince Henry, 14 September 1758.

THE PROPRIETARY PROVINCE AS A FORM OF COLONIAL GOVERNMENT

III.

THAT the transfer of European institutions across the Atlantic occasioned profound and even revolutionary changes in their character, was made evident by our study of the corporate colony of New England. The statement is true, though not to the same degree, of the palatinate. It underwent serious change when it was developed into the proprietary province. A comparison between the province and its medieval progenitor would reveal the fact that, though fundamentally and in outline the same, yet in details of organization they were in very many respects unlike. Differences would appear in the land system, in the official system, in local subdivisions and government, in the administration of affairs in all their departments. The province was by no means an exact reproduction or copy of its original. It was rather the result of a development upon lines broadly suggested by the palatinate. The offspring, if a filial relation in any sense could be affirmed, grew to maturity under physical and social conditions which were very different from those to which the parent was subjected, and corresponding variations of type were the result. This becomes especially clear when we consider the legislature. The medieval palatinate either had no legislature at all, or possessed one in the rudimentary form of the feudal council or *cour de baronie*. But we find the American palatinates, either immediately or within a generation after their establishment, developing legislatures which became not only a permanent, but an increasingly important part of their political systems. Remoteness from England and the impossibility of otherwise securing an adequate revenue made them a necessity. English custom, the trend of English historical development, told almost, if not quite, irresistibly in their favor. Except in the case of New York, the home government sanctioned the establishment of legislatures by the permissive clauses respecting them which were introduced into the charters. Social pressure within the provinces in favor of their establishment was so strong that even the Duke of York, though in a position which made the upholding of the prerogative especially easy and desirable, could not long resist it. From none

of the other post-Restoration proprietors was opposition to the establishment of a legislature to be expected. Penn, especially at the outset, regarded that institution with peculiar affection.

But it is specially to be noted that formally and legally the legislatures in the proprietary provinces were the creation of the proprietors. They were not imposed or even guaranteed by the crown. The language used concerning them in the charters was not mandatory, but permissive. Its meaning was not "he shall," but "he may" legislate, and seek the advice of the freemen or their deputies for that purpose. It was left to the option of the proprietor to determine when, where and how he should exercise this power. The language of the documents implies that the proprietor could legally have refrained altogether from exercising it. It also implies that a legislature was not contemplated as an original and necessary part of the provincial organism. Its origin, that is, is not to be found in the natural or pre-existent rights of Englishmen. The existence of parliament in England did not legally necessitate the existence of assemblies in her colonies, though it greatly increased the difficulties of governing them without assemblies. The legislatures in the provinces then, like all the other organs of their government, developed as the result of social and political causes operating upon the proprietors and in the provinces themselves. Events at once showed them to be the instruments of government which were indispensable to proprietors as well as provincials, and about their development center the events of greatest interest in the history of the provinces. Their study reveals not merely a new phase in the history of the fief, but the operation of forces which were to transform the fief and thus open the way to the growth of modern democratic institutions. The rise of assemblies in the Anglo-American colonies is a fact of profound significance in the history of the world. Its importance will be seen by anyone who takes the trouble to compare events as they occurred in these colonies during the seventeenth century with the trend of historical development at that period, especially on the European continent. It will be my object in this, the concluding paper of the series, to trace the process of their development in the proprietary provinces through its earlier stage.

The form of the legislature in the corporate colony was determined by the organization of the general court of the trading company from which it developed. The form of the general assembly in the province was determined by the concessions of the executive and by the form which the executive had assumed when the legislature reached its full development. The first step towards calling a general assembly was taken by the proprietor, who, if he was not in

the province, instructed his governor to issue writs of election, with such other summonses as might be necessary. The electors to whom these writs were issued were not freemen in the technical sense of being members of a corporation, but were such in the broad and general sense. In the beginning they were literally free men, but the law soon came to define them as freeholders. When met in normal form the legislature consisted of the governor, the council and the assembly or deputies. The latter, who were sent by the localities, constituted the only representative part of the legislature. Its other elements were, as a rule, appointed, were a part of the executive, and were in existence before the legislature met. In both tenure and functions they were legally independent both of the deputies and of the electors. They held their offices at the pleasure of the proprietor, and were or might be guided by his instructions. Engaged as they were in the permanent work of government, they would naturally be swayed by a regard for the interests of the proprietor and by some sense of administrative traditions and needs. Though a component of the legislature the council was also the legal adviser of the governor and through him of the proprietor. As the governor, unless specially limited by law, had the sole power of calling, proroguing and dissolving the general assembly, the council might advise him in such a way as to destroy the body itself or thwart its plans. The joint work of the council and assembly was subject to the veto power of the proprietor or of both the proprietor and his governor. The legislature of the province then differed widely from the general court, though in practice this was somewhat offset by the fact that in the New England colonies the magistrates were in the majority of cases re-elected for a long series of terms. In the province, as in the kingdom, the legislature was in a sense an expansion of the executive, developed out of it and was to an extent controlled by it. Out of this relation arose the possibility of conflict between the two parts of the legislature, that which represented the people and that which represented the proprietor. But we have been describing the general assembly in its normal and regular form. In few of the proprietary provinces did it attain this form at once, in some not at all. It will now be necessary to show through what changes of organization the legislatures of these provinces passed in the early years of their history. In connection with this the degree of influence which the proprietors exerted or attempted to exert over the legislatures will appear. Owing to lack of space it will be impossible in this article to consider the legislatures of any of the provinces except Maryland, Carolina and Pennsylvania.

The policy of the first proprietor of Maryland apparently was to call assemblies frequently, but to control their proceedings by retaining in his own hands the exclusive right to initiate legislation. Not until the close of the disturbed period of the Commonwealth and the restoration to Lord Baltimore of the powers, the exercise of which had been suspended at the advent of the commissioners of Parliament, did the legislature of Maryland assume its final and permanent form. In its early sessions it consisted of only one house, and that was variously organized. Until 1658, so far as the legislature was representative, the hundred was the unit of representation; but the representative element in the body throughout those years was decidedly fluctuating. For the general assembly of January 1638—the earliest whose records have been preserved—both personal writs and writs of election were issued, but the only one which has been preserved was that directed to Captain Evelyn,[1] commander of Kent Island. It commanded him to assemble the freemen of that locality and to persuade such as he should think fit to attend in person; the others he should authorize either to go themselves or to elect and send deputies. It was left wholly to the freemen to decide how many deputies they would send, but a record of the election and of all else which was done should be returned to the secretary of the province. The assembly was attended by the governor, the members of the council, the commander of Kent Island, one of his council, two other officials, together with twenty gentlemen and planters and one artisan, all of whom came in response to writs addressed to them personally. The rest of the freemen, so far as they took any action at all, sent proxies, and many of the proxies were held by officials. Those who did not appear either in person or by proxy were fined. Freemen were admitted to seats every day till the close of the session, and the membership roll of the assembly was never closed. The body seems not to have contained a single representative; it was substantially a primary assembly with the governor as its president. Though summoned in a different way, it to an extent resembled the New England court of election.

But in the legislature of February 1639 the above model was almost wholly abandoned. Elections were held in nearly all the hundreds and the assembly which resulted was largely representative. Individual writs were apparently sent to only three besides the members of the council. Two were admitted without election or special writ.

From this time until 1650 the legislature of Maryland fluctuated

[1] *Arch.*, Assembly, 1638 to 1664, p. 1.

in its organization between the primary and the representative form, while a small proportion of the members attended in response to personal writs. The general assembly of October 1640, which was continued by prorogation until March 1642, was almost wholly representative. The councillors were personally summoned,[1] Thomas Cornwallis sending an attorney or proctor in his stead. But in March 1642, possibly because of the religious dissensions[2] then beginning in the province, writs of election which had already been issued were superseded by a proclamation of the governor requiring all freemen either to attend personally or to send proxies. This was obeyed, and the legislature which resulted was organized substantially as that of 1638 had been. In July 1642 writs of election were issued,[3] and personal writs were sent to nine individuals. Elections were held and burgesses returned from all the localities of the province. No proxies seem to have been sent to this assembly save one or two by those who were personally summoned. A natural result of the adoption of this form of organization was the proposal made by Robert Vaughan in the name of the burgesses, that the general assembly should be divided and the representatives sit by themselves and have a negative voice ; but the governor would not agree to it. The unsettled condition of affairs was again shown when a new general assembly was called in September 1642. Under the authority of the governor's proclamation the proxy system was entirely restored.[4] In this body there seem to have been no representatives. Persons to the number of 182 were entitled to seats, of whom 18 were individually summoned, 88 attended without personal summons or sent proxies, and 76 were fined 20 lbs. of tobacco each because they failed to be present. The proxy system seems to have been retained till 1644.[5] Records of the sessions between April 1644 and December 1646 are lacking. The general assembly of the latter date contained burgesses, and one would infer from the fragmentary record which remains, that it consisted of two houses. But in January 1648 the representative system[6] was again abandoned, and in that body there is no trace even of personally summoned members. The general assembly held by Governor Stone in April 1649, the same one which passed the famous act concerning religion, seems on the other hand to have consisted of council and burgesses.[7] In the proclamation by which the assembly of April 1650 was summoned, it was left to the option of the freemen to

[1] *Arch.*, Assembly, 1638 to 1664, p. 89.
[2] Ibid., pp. 114, 115.
[3] Ibid., p. 129.
[4] Ibid., p. 167. Bozman, II. 232.
[5] Ibid., pp. 201, 205, 209.
[6] Ibid., p. 214.
[7] Ibid., p. 238 *et seq.*

choose delegates or to attend by proxy.[1] All the hundreds now showed their preference for the representative system by electing burgesses. This legislature did not stop there, but as soon as it met organized in two houses and passed an act confirming what it had done. This, as it proved, committed Maryland permanently to the representative system and to the normal provincial legislature of two houses, the upper house consisting of the council, presided over by the governor, and the lower of the burgesses.

But we have said that at the outset it was the intention of Lord Baltimore to control the proceedings of his legislature, not only by his right of appointing and instructing the governor and the members of the upper house and by the veto power which he reserved wholly to himself,[2] but by retaining in his own hands the exclusive right to initiate legislation. He attempted at the beginning to exercise this power on a large scale. Whether his rejection of all the acts of the general assembly of 1635 was due to the fact that they originated with that body, we cannot tell. But he caused to be submitted to the general assembly of January 1638—the second legislature which met in the province[3]—a series of twelve bills which he desired to have enacted. These were read and debated, and finally by a majority of members, led by Captain Cornwallis, they were rejected. Only the votes of the governor and Secretary Lewger, and the proxies which they held, were cast in favor of their passage. When it was now proposed that some laws should be passed which should be in force till word came again from England, the governor denied that the legislature had such a power; they must in the interval be governed by such of the laws of England as they had the right to enforce. But before many hours had passed, his ideas were modified and he was ready even to advise that a committee be chosen to draft bills.[4] From this time the process of legislation continued without serious interruption till the close of the session, when a number of important acts were passed.[5] All of these, however, were rejected by the proprietor, probably as an assertion of his claim to the right of initiative.[6] But before the general assembly of the next year met Lord Baltimore apparently became convinced that it was unwise, if not useless, to contend longer for the right in the extreme form in which he had asserted

[1] *Arch.*, Assembly, 1638 to 1664, p. 259 *et seq.*, 272.

[2] *Arch.*, Council, 1636 to 1667, pp. 51, 111, 154, 203, 543; Assembly, 1666 to 1676, pp. 161, 173 *et seq.*

[3] *Arch.*, Assembly, 1638 to 1664, p. 6 *et seq.*

[4] Ibid., pp. 9, 10.

[5] Ibid., pp. 14–24.

[6] Bozman, II. 67.

it. Therefore, after organization, the first business of that session was to listen to a letter in which the proprietor authorized the governor to assent to acts originated and passed by the general assembly, and declared that they should be in force in the province till Lord Baltimore or his heirs should express their dissent.[1] An act declaring the substance of this concession as it applied to the existing assembly was at once passed. When the commission of the governor was renewed in 1642[2] the concession was repeated by the proprietor. Still this in his opinion did not deprive him of the right to initiate legislation, for in 1649 he sent over under his great seal sixteen bills which he instructed the governor to lay before the assembly for its acceptance *in toto* as perpetual laws.[3] We know that these bills were elaborate and that they concerned the most important interests of the province. The general assembly declined to accept these as a whole, but selected such as seemed to it best to promote the interests of the province, while it added certain acts of its own. Among those which it accepted was probably the famous toleration act of 1649. Thus the independence of the legislature, so far as was possible under the Maryland system of government, was attained. But from time to time, so long as provincial government continued, protests were uttered against the veto power of the proprietor. The lower house also expressed its jealousy of the upper house as an outgrowth and embodiment of proprietary influence. In 1660 Josiah Fendall and others tried to restore the single chamber, to make the speaker of the lower house its president and to abolish the veto power.[4] This was defeated by the efforts of Philip Calvert, who naturally soon succeeded Fendall as governor. A list of grievances presented by the lower to the upper house in 1669[5] included a complaint that the proprietor retained exclusively in his own hands the right to approve or reject laws and a petition that this power might be bestowed on the governor because, while in office, he must be a resident of the province. But this the upper house opposed as inconsistent with the charter and involving danger to the power of the proprietor. Among the charges presented against Lord Baltimore[6] were these, that he assumed the right to assent to and repeal laws, to proclaim and dispense with laws as he saw fit, and that while not a resident in the province. This naturally was coupled with the other charge, that he assumed the

[1] *Arch.*, Assembly, 1638 to 1664, p. 31.
[2] *Arch.*, Council, 1636 to 1667, p. 111.
[3] Ibid., p. 220; Assembly, 1638 to 1664, p. 263.
[4] *Arch.*, Assembly, 1638 to 1664, pp. 389, 390, 420 *et seq.*
[5] *Arch.*, Assembly, 1666 to 1676, p. 173 *et seq.*
[6] Maryland Entry Book, No. 52, p. 189 *et seq.*

royal style, dignity and authority. The history of Maryland, both in the seventeenth and in the eighteenth century, will show that the main line of cleavage in the provincial system was that by which the upper house and the higher officials on the one side were divided from the lower house and the common people on the other.[1]

As in the case of the executive so in that of the legislature the writer who would trace the early development of Carolina institutions will be perplexed by the lack of accessible material. But from a comparison of such authentic documents as remain and are in print one would infer that the course of development in that province was substantially as follows. The persuasions of the Barbadians and the eagerness of the proprietors to secure settlers occasioned, we may suppose, the insertion in the Concession and Agreement of 1665 of the very liberal provisions concerning a legislature.[2] Under a writ issued by the governor in the name of the proprietors an election was to be at once held for the choice by the freemen of deputies, who should meet with the governor and council in general assembly. Sessions of this body should be held annually thereafter. It was given power to appoint its own times of meeting; to adjourn at and to such times and places as it chose; to pass all laws, establish courts, fix the limits of their jurisdiction, the number of their officers, their fees and salaries; to lay all taxes and provide for all the expenses of government; to erect baronies and manors, divide the province into counties, hundreds and parishes; to erect ports, build towns and cities and provide for their defense; to establish a militia and provide for offensive as well as defensive war with foreigners as well as with Indians; to provide for naturalization; to designate the amount of land to be granted to individuals and to make rules for the issue of such grants; to enact all other necessary laws. In the exercise of administrative powers the governors and councillors were to be guided by and to execute in detail the laws passed by the assemblies; they were also to see that all subordinate officials obeyed and enforced them.

The difference between this document and any which Lord Baltimore issued is very noticeable. Apparently the intention of its framers was to make the general assembly at the outset the chief organ of government in the province. To the governor and council as an executive was left simply the work of executing its commands. The proprietors seem to have had no thought of reserving the right of initiative. The judicial, the military and the financial systems,

[1] A notable utterance of the extreme popular feeling against the proprietor and his agents at the time of Bacon's Rebellion is contained in the *Complaint from Heaven*, a pamphlet printed in *Arch.*, Council, 1667 to 1688, p. 134 *et seq.*

[2] *N. C. Recs.*, I. 77, 79, 81, 98, 144, 148.

with the organs of local government, were to be created by legislation. Had this scheme been carried into full operation the governments within Carolina would at once have assumed the form which the provinces generally did not reach till some time in the eighteenth century. There is evidence that an assembly was held by Governor Yeamans at Cape Fear in the summer of 1666,[1] but of its organization we know nothing. The instructions which were issued to the governor of Albemarle in 1667 included the provisions of the agreement concerning assemblies,[2] but there is no proof that a legislature met under them.

With the issue in 1669 of the Fundamental Constitutions a change appears in the policy of the proprietors respecting the legislature. An effort was now begun to bring it into greater harmony with the earlier traditions of the county palatine, with the feudal type of government the acceptance of which the proprietors through the Constitutions sought to enforce. For the name general assembly was substituted that of parliament. Provision was made that it should meet biennially and that it should consist of the proprietors, or their deputies, the provincial nobility and one representative from among the freeholders of every precinct. The electors should possess fifty acres of land each, and the property qualification of the representative should be the ownership of five hundred acres of land lying within the precinct for which he was chosen. The members should sit and deliberate together, but vote in four distinct estates. If the majority of any one of the four estates—the proprietor's deputies, the landgraves, the caciques, the representatives —should vote that a measure was not consistent with the Fundamental Constitutions, it should not pass. Provision was also made that all matters which were to be brought before the parliament should be prepared in and approved by the grand council. This body consisted of the proprietors resident in the province (or their deputies) and the councillors of the proprietors' courts. As in Maryland, so in this plan, the right of initiative was thus reserved by the executive. The palatine court was given the right to negative acts of the parliament, except in two cases, and no act of the parliament should go into force till ratified by the palatine or his deputy, and by three of the other proprietors and their deputies. Moreover, the legislative sphere of the parliament was much less broad than that of the general assembly as specified in the Concessions of 1665. There is no recital of its powers in the Constitutions, but from the provisions of the document in general it appears that it was to have only the formal power to regulate the granting of land,

[1] *N. C. Col. Recs.*, p. 145. [2] Ibid., p. 167.

the erection of manors and baronies, the establishment of offices and courts, the making of war, and the doing of other things which were specified in the concessions as within the sphere of the legislature. It did vote taxes, and that of course was a powerful lever, but the evident intention of the framers of the Constitutions was, by the creation of machinery above it, to reduce the power of the Carolina legislature to a shadow.[1] It will, however, be said that this intention was defeated, because the proprietors found it impossible to put the Constitutions into operation. But there is evidence that their instructions so modified the powers of the legislature that for a considerable time it failed to recover the fullness of authority which had been granted to it in 1665.

By the instructions of 1670,[2] the governor of Albemarle was ordered not only to issue writs for the election of five freeholders from each of the four precincts of the county, but to admit five deputies of the proprietors, and these, with the representatives, were to form the assembly. This body, which was to have a speaker, should choose five persons, who, together with five designated by the proprietors, should form the council. This council was to occupy as nearly as possible the position of the grand council, as provided in the Constitutions, and that meant that it should have the sole initiative in legislation. In its capacity as council and also as palatine's court it likewise had control of the entire work of the administration, especially of defense, and it later acquired the power, in co-operation with the governor, to adjourn, prorogue and dissolve the assembly.[3] It thus appears that an assembly called and regulated in accordance with these instructions would be in a position quite different from that indicated in the Concessions. The instructions to the governors of Albemarle till 1691 provided that assemblies should be held according to this plan.[4] We do not know whether the instructions were obeyed or not, for the proceedings of these sessions have been lost; but the organization just described was certainly the only one authorized by the proprietors at the time, and if the instructions were not obeyed it was due to the inability of the proprietors to enforce obedience to their will. Respecting the initiative their claims and commands were similar to those of the proprietor in the early history of Maryland. When in 1689 Philip Ludwell was appointed governor of Albemarle, he was instructed as soon as was convenient to call an "assembly or parliament," and in the passing of laws to "observe the methods prescribed by our

[1] *N. C. Recs.*, pp. 193, 196, 199 *et seq.* Art. 33, 51, 73–79.
[2] Ibid., p. 181.
[3] Ibid., 193, 239. Bassett in *Johns Hopkins University Studies*, XII. 52.
[4] Ibid., I. 235, 333.

Fundamental Constitutions and instructions."[1] The acts should be sent to England for approval or disapproval by the proprietors. A fair interpretation of this would lead to the inference that this assembly, if held, should be organized as its predecessors were required to be by the instructions of 1670. But by the instructions of 1691, which were issued to Ludwell as governor of the entire province, no reference was made to a reservation of the right of initiative, though it was ordered that the legislature should consist of deputies, landgraves, caciques and delegates. Measures passed by them and approved by the governor and three or more of the proprietor's deputies should continue in force for two years, and no longer unless within that time they were confirmed by the Lords Proprietors. According to these instructions the deputies of the proprietors were to be the governor's council, as well as a component of the legislature. Of the intended assembly, if held, no records are at hand.

Of the organization of the legislature in North Carolina during the remainder of the proprietary period we have no knowledge, but we have no reason to suppose that the proprietors longer attempted to exercise the right of initiative there. In May 1694 Governor Thomas Smith, who was Ludwell's successor in South Carolina, announced that the proprietors had consented "that the proposing power for the making of laws, which was heretofore lodged in the governor and council, is now given to you (the commons) as well as the present council."[2] No provision appears in the edition of the Fundamental Constitutions which was issued in 1698 which is inconsistent with this statement.[3] Apparently, then, since the council had come to consist of the proprietors' deputies, and since the proprietors had not been able to establish a nobility or to introduce much, if any, of the machinery of government which was intended to accompany it, the conclusion must be that the legislatures in the Carolinas assumed before 1700 the form customary in the provinces, and that they exercised substantially the same powers which legislatures elsewhere in that form of colony enjoyed.

The legislature of Pennsylvania was founded under authority transmitted through the Frames of Government of 1682 and 1683, and the Charter of Privileges of 1701. Of these the first was issued by the proprietor in agreement with those who, though still resident in England, intended to purchase land in the province; the second was issued by the proprietor after his arrival in Pennsylvania; the

[1] *N. C. Col. Recs.*, p. 363.
[2] Rivers, *Sketch of the History of South Carolina*, p. 171.
[3] *N. C. Recs.*, II. 852 *et seq.*

third was issued by him just before the close of his second visit to the province. A third so-called Frame of Government was passed by Governor Markham, in 1696, with the approval of the legislature, as an act of settlement, but as it was never accepted by the proprietor it can be said to have been in force only as a temporary act. Moreover, no evidence has been found that the Frames of Government were ever submitted to the king for his approval. But as the charter did not declare that the acts which were not submitted should be on that account annulled, those issued by Penn and approved by the legislature must be regarded as in force in spite of the irregularity. Unlike the schemes of government issued by the Carolina proprietors, those of Penn went fully into operation; he procured popular acceptance of them at the outset.

The existence of a representative system, and one, too, which was unusually developed, was guaranteed from the first by the Quaker proprietor. The statement was made in the first Frame that powers of government were vested in the governor and freemen, those of the latter to be exercised in two representative bodies, the council and the assembly. The fact that both houses of the legislature were to be elective and representative marks another important departure from the traditional system of the province. It was a concession to the popular elements in the system which involved serious consequences for the proprietor and from which proceeded many of the complications of the first two decades of Pennsylvania history. It also contributed in an important degree toward determining the form which the legislature of that province ultimately assumed.

According to the first Frame of Government the full provincial council should consist of seventy-two members. The assembly of the first year should include all the other freemen among the colonists, who should be called together to accept the laws and cooperate in the establishment of government. Thereafter, it should consist of two hundred members. Both bodies should be annually chosen and the elections for both should be held at the same times and places.[1] A faint attempt was made to secure for the council the position of an aristocratic body, one more likely than the assembly to act in harmony with the proprietor, by the requirement that those of best repute for wisdom, virtue and ability should be chosen as its members. It was apparently hoped that over this body, though elective, the proprietor and governor would be able to exert controlling influence, for it was given the exclusive right of initiating legislation and of summoning and dissolving the general

[1] Elections for both houses were held by counties.

assembly. The lower house, or assembly of two hundred members, though it was also elected by the freemen, was given a decidedly inferior position. Its functions were to impeach offenders before the council, to prepare amendments to the bills laid before it and finally to approve or reject those bills. The governor was not given the right of veto, or of performing any act of government independently of the council; neither could he adjourn that body or its committees. He had only a triple vote in the council. How, then, was it possible that more than an ineffective moral influence could be exerted by him? His legal position in the legislature was much more like that of the governor of the corporate colony than like that of the chief magistrate of a typical province. The weakness of the governor and the prominence of the elective council were then the chief features of the legislative system as devised by the Quaker proprietor.

As is well known, the first Pennsylvania legislature, that which met at Chester, December 4, 1682, consisted of only one house.[1] Writs were not issued for the election of a council, while only seven members were chosen from each of the six counties into which the province and "Territories" were then divided. The *Votes* show that the organization and procedure of this body were in accordance with accepted forms, that it enjoyed all necessary independence, and that it did a large amount of legislative work. The writs which Penn issued for the election of 1683 called for a provincial council of seventy-two members, but the returns from the counties were accompanied by petitions that the twelve who had been chosen in each county might serve both as councillors and as assemblymen.[2] It was now so clear to all that the legislature as planned was far too large for the needs and resources of the province, that the proposal of the petitioners was at once accepted by all concerned, though it involved a departure from the Frame of Government.[3] The lower house of this legislature now demanded the right of initiative and the question was discussed by the members and with the proprietor at some length,[4] but nothing was accomplished. Enough changes, however, had been made to justify, in the opinion of all concerned, the issue of a new Frame of Government; but by the Frame of 1683 no organic changes were introduced into the system.

The proprietor now returned to England, leaving the executive power in the hands of Thomas Lloyd, as president, and of the provincial council. The membership of the council had been fixed at eighteen, and in addition to being the executive it constituted the

[1] *Charter and Laws of Pa.*, p. 473.
[2] Ibid., p. 484.
[3] *Col. Recs.*, I. 58.
[4] *Votes*, I. 7.

upper house of the legislature. Disputes soon arose between it and the assembly over the form of language used by the council in the promulgation of bills which were to be considered in the forthcoming sessions of the legislature. The form "by the authority of the president and council," or its equivalent, was thought to violate the charter and to ignore too much the lower house.[1] This controversy continued during 1685 and 1686,[2] stopped the course of legislation, and revealed the importance both of the executive and of the lower house. Of the eighteen members of the council usually only five or seven were present at its sessions; at times less than the required quorum of one-third. The reports which came to the proprietor convinced him that the executive was not properly organized, and in 1687 he made it again appointive and reduced its membership. He selected five "commissioners of state"[3] and instructed them, or any three of them, to compel the members of the provincial council to attend to their duties, to suffer no disorder in it or in the assembly, to inquire into their past acts and into the qualifications of members of both houses, and to abrogate all that had been done during his absence. They were also to execute the laws and to approve or veto the acts of the legislature as the proprietor might do were he present. In his irritation the proprietor threatened to "dissolve the frame without any more ado." "Let them look to it," said he, "if further occasion be given."

But the relations with the lower house were no more amicable than they had been before this change, while the sessions of the council were no better attended than they had previously been. The lower house was jealous because it did not possess the right of initiative, while the council irritated it by insisting on its own superiority. In the session of May 1688, as had been the practice since the proprietor left the province, the lower house neglected to present its speaker for approval.[4] It also took separately the oaths of allegiance and fidelity, and resolved not to divulge any of its proceedings. At first the provincial council was inclined not to recognize it as a house, and after legislation began, bickerings continued throughout the session.

On account of the unsatisfactory condition of things the proprietor again interposed, and before the end of 1688 appointed Captain John Blackwell governor.[5] The commissioners of state were thus superseded, and a stranger and a man of military training was

[1] *Col. Recs.*, I. 133 *et seq.*
[2] *Charter and Laws*, 498 *et seq.*
[3] Proud's *Hist. of Pa.*, p. 305. *Col. Recs.*, I. 212. *Charter and Laws*, 514.
[4] *Votes*, I. 43, 44, 46. *Col. Recs.*, I. 223.
[5] *Col. Recs.*, I. 229.

introduced as the head of the government. It was not unnatural that the late commissioners should be dissatisfied, and as they were all men of influence, they could make much trouble for a man who was situated as Blackwell was. Alone, unaided, he had to face an elective council and a legislature, the members of which were either indifferent or strongly prejudiced against him. An executive in such position must needs be helpless, and, if William Penn really desired to retain the proprietary form of government, it is evidence of his poor judgment that he should have allowed the executive to be thus compromised and weakened.

The new governor first attempted to secure a more regular attendance on the sessions of the provincial council. At its second meeting[1] after his arrival a quorum was not present. By a special effort a quorum, but no more, was brought together at the next session, January 14, 1689.[2] It was then ordered that the sheriff should acquaint the members of the council who resided in their respective counties, that one of them should attend each month as required by the law and charter. But at the session on January 28, a quorum was not present, and no business could be done. The same was true on the 31st, and after waiting two hours those who were present departed.[3] On March 1 all the members from Chester County were present, and the governor asked them to agree among themselves as to the order of their future attendance, and to inform the secretary. Thereupon one of them, John Symcock, who had also been one of the commissioners of state, declared that he would not attend,[4] and left the duty to be performed by the other two. On March 4, no quorum was present; the same was true on the 11th. On the 12th, when six were present, the governor stated that the means he had used to secure attendance had failed, and that he asked the advice of the council in the matter. At his request the question was put, whether it were not the duty of one of the members elected for each county to "constantly attend the Governor in the affayres of the Government." Though such a proposition would seem to be fair and moderate, it was debated and its decision postponed till some six weeks later.[5] With this the governor was not satisfied, and later repeated the question of the former session. After much debate and expression of unwillingness to advise the governor in the premises, Arthur Cook, who also had been a commissioner of state, declared that the poverty of the people was so great that they could not bear the charge of constant atten-

[1] *Col. Recs.*, I. 229.
[2] Ibid., p. 230.
[3] Ibid., p. 233.
[4] Ibid., p. 234.
[5] Ibid., p. 238.

dance, as the law required, and proposed that the governor be requested to suspend for the present the execution of the requirement. This resolution passed in the affirmative, the secretary only dissenting. This shows pretty conclusively that Penn's plan of a large executive council, which should be elective, had failed, and through its failure the conditions were prepared for a bitter quarrel between the governor and the council.

Such a quarrel had in fact already begun and it proceeded by sure and rapid stages until it culminated in a dead-lock between the governor and the council. In the *Colonial Records* its progress can be traced step by step. Thomas Lloyd, whom Penn had left as president of the colony, retained the great seal and was from the first the leader of the faction which opposed the governor. Though requested by the governor and council at the beginning of Blackwell's administration to surrender the proprietary instructions and other important documents [1] he refused or neglected to do so. He refused to affix the great seal to commissions and public orders issued by the governor.[2] When about to visit New York he refused to leave the great seal in the custody of the governor and council, and maintained that he had a "fixed estate" in it.[3] This occurred at the very time when Blackwell failed in his efforts to secure an adequate attendance of the council, and throughout its sympathies were evidently with Lloyd. The state of feeling was speedily shown by a dispute between the governor and Samuel Richardson, a member of the council, over the question whether or not a certain petition should be received. Richardson and Arthur Cook [4] then repudiated the governor's authority, saying that the proprietor only had authority to appoint a deputy. When, because of his insulting language, Richardson was ordered by Blackwell to leave the room, he refused, saying "I was not brought hither by thee and I will not go out by thy order; I was sent by the people and thou hast no power to put me out." Though the council supported the governor to the extent of ordering Richardson from the room, executive power was challenged in the most direct manner by this event. When Blackwell, apparently in conformity with the Frame of Government and with the laws,[5] sent to the chancellor a list of appointees for provincial judgeships, he refused to affix the seal to their commissions, alleging that these documents were "more

[1] *Col. Recs.*, I. 230, 234, 238, 239.

[2] Ibid., p. 231.

[3] Ibid., pp. 234–237.

[4] Ibid., p. 243.

[5] Ibid., p. 249; see also p. 45, Art. 16 of the Frame of Government of 1683; *Charter and Laws*, pp. 168–178.

moulded by ffancy than fformed by law." The council failed again to support the governor effectively, and he was thwarted in his effort to appoint judges and open the courts.

At the spring election of 1689 Thomas Lloyd and Samuel Richardson were returned as members of the provincial council.[1] The governor tried to exclude them on the ground of their offensive conduct, and presented a series of charges against Lloyd looking toward his prosecution. This aroused a hot debate, which soon after was revived by the publication of what was presumably an attack on the governor, and which was traced to Joseph Growdon, another member of the council.[2] Growdon refused to withdraw at the command of the governor while this matter was being discussed, and a general cry was raised that the members who had been elected, but from whom the governor withheld their seats, should be admitted. Thereupon occurred the sharpest debate among those reported. But the governor remained firm. He adjourned the council and a quorum did not again appear till several days after the date (May 10) for the opening of the session of the general assembly. Naturally the lower house, when it met, sympathized with those whom the governor had excluded from their seats in the council. As this was an obstacle in the way of securing the attendance of a quorum of the council, and hence contributed towards making the organization of the legislature impossible, the exclusion of the councillors was presented as a grievance[3] and its redress was demanded. When the session actually opened the governor defended his policy and office in a long speech, but, owing partly to the disputes, he and the council had no bills to propose. Therefore no new laws could be passed that session. An irregularity already committed in not passing laws under the great seal seemed to invalidate all in existence save the Frame of Government and the Act of Union with the Lower Counties. The proprietor had also ordered the repeal of the existing laws and their re-enactment with amendments. But such was the state of feeling within the legislature, that even this was impossible. After wrangling for a week or a little more over the detention in custody of one who had been elected a member of the lower house from Newcastle County, the assembly broke up without formal adjournment. With difficulty the governor then procured from the council a declaration that the existing laws should remain in force and should be executed by the officials of the province. With this the important business of Blackwell's administration came to an end.[4] He had in a faithful

[1] *Col. Recs.*, I. 267 *et seq.* [2] Ibid., 278 *et seq.* [3] *Votes*, p. 50.
[4] See Blackwell's closing speech, *Col. Recs.*, I. 312.

and straightforward manner upheld the cause of the executive, but against an opposition which was far too strong for him.

In the arrangement made for the continuance of government Penn made another notable surrender to the dominant forces in the province. Finding it impossible for him to return, he sent two commissions between which he permitted a choice.[1] One provided that the provincial council should present three names from which the proprietor should select his governor, and that in the interim an official elected by the provincial council should act in that capacity. The other commission provided that the provincial council itself should act as executive, and to that end should from time to time elect for itself a president. Penn wrote that he threw all into the hands of the provincials, that they might see the confidence he had in them and his desire to give them contentment. Relying, as usual, on moral influence, he exclaimed in closing, "What Ever you do, I desire, beseech and charge you all to avoyd factions and parties, Whisperings and reportings and all animosities that putting your Common Shoulder to the Publick work, ye may have the Reward of Good men and Patriots." The colonists at once chose the second alternative that was offered. The provincial council again became the executive, and Thomas Lloyd was chosen president. The opposition against which Blackwell had struggled was again fully installed in power, and that with the consent of the proprietor. Within the province there was now no obstacle to the assertion of the will of the provincials through the legislature. The executive had been subordinated to it. So long as that condition lasted conflict of course was impossible.

The suspension of Penn's governmental powers in 1692 and the appointment of Benjamin Fletcher, of New York, as royal governor of Pennsylvania, came as a rude shock to the dominant party in that province. Fletcher properly considered that the Frame of Government was superseded by his commission. The elective council at once gave place to one appointed by the governor and subject to approval by the king.[2] The councillors were also placed upon the commissions of the peace throughout the province. The number of members both in the council and in the lower house was considerably reduced. But the introduction of the forms and usages of the royal province resulted in one important gain for the lower house; it secured to it the right to initiate legislation. This doubtless in a measure reconciled the assembly to other changes.

[1] *Col. Recs.*, I. 315 *et seq.*

[2] Ibid., p. 364, 366, 369. See Fletcher's statement on p. 402 of the difference between Penn's system and that of the normal province.

When now Fletcher attacked the validity of the entire body of laws on the grounds that they had not been properly enrolled or published under the great seal, that they had not been submitted to the king, that some of them were inconsistent with the laws of England,[1] the assembly readily undertook the work of revision. They succeeded in saving the body of earlier legislation and in adding somewhat to it.

When late in 1694 the powers of government were restored to the proprietor,[2] William Markham was again appointed his deputy governor. The elective council was restored,[3] and many of its former members were returned. But the rule of the Frame of Government concerning the time for holding the session of the general assembly was at once departed from. As soon too as the council was called to consider what bills should be laid before the assembly,[4] it began to discuss the possibility of substituting for the existing Frame of Government another which should be "more easie." No bills were prepared or promulgated. When the legislature met both houses violated the Frame[5] by resolving that, considering the emergency, they might proceed to legislation without the promulgation of bills. Continuing thus the practice of the Fletcher *régime*, it was decided that both houses might initiate legislation. An attempt was then made to pass a revenue act and an act of settlement, the latter of which should embody the new principle of initiative by the lower house. But Markham refused to pass the bills, and the session closed without definite result.

But Markham seems by this time to have become convinced that, since the Frame of Government had been superseded by the appointment of Fletcher, it could not be reassumed without legislative authority.[6] To this he could not resort without advice from the proprietor. Hence, in order to strengthen the executive, he substituted[7] an appointive for an elective council. An assembly was then called for the special purpose of appropriating a sum required by the queen for the defense of New York. That body, more decisively than its predecessor, coupled supply with settlement as mutually conditioned. The result of a conference was a presentation by the governor of a draft of a bill of settlement.[8] The assembly

[1] *Col. Rec.*, I. 405 *et seq.* Note especially, for the government side of the question, the speech of Patrick Robinson, p. 419.

[2] Ibid., p. 472 *et seq.*

[3] Ibid., p. 482 *et seq.*

[4] Ibid., p. 484 *et seq.*

[5] Ibid., p. 491.

[6] Ibid., p. 505.

[7] Ibid., p. 497.

[8] Ibid., pp. 507, 508.

brought up with it a bill for the required appropriation, and the two became law together November 7, 1696. Thus came into existence the act of settlement, which was properly known as Markham's Frame of Government.[1] Beside the retention of the elective council, its most important feature was the guarantee to the lower house of the right to initiate legislation. This was the first time that the principle was incorporated into an act of the Pennsylvania legislature. But the act itself declared that it should remain in force only until the proprietor should signify the contrary, while the evidence is satisfactory that Penn never confirmed it. Thenceforward however the lower house, as well as the council, regularly initiated legislation.

When in 1700 Penn paid his second visit to the province the discussion of the organization of the legislature was resumed. The opinion was then expressed in the council that the Frame of 1683 was still in force "as to its fundamentals."[2] Penn said that Markham's frame had served till he came, but it could not bind him against his own act, *i. e.*, the Frame of 1683. The council then resolved to read both Frames, "and to keep what's good in either, to lay aside what's inconvenient and burdensome, and to add to both what may best suit the common good," and to present the same before the proprietor. With the discussion of this, which was continued at intervals for several months, was connected the revision of the laws of the province and the passage of an act concerning property. In the last named act the assembly was especially interested. The results arrived at on all these questions evidently proceeded from the joint action of the proprietor and the legislature, and the two co-operated freely at all stages of the discussion. The result was embodied in the Charter of Privileges of 1701.[3] In Articles II. and III. of this document the proprietor fully recognized the independence of the assembly, and by implication also the fact that it should be the only house of the legislature. This inference appears to be justified by the absence from the Charter of Privileges of a provision for the election of any except members of the assembly, and by the appearance a few days later of a commission appointing the members of the council and giving them only administrative powers. As a matter of fact, too, the council thereafter could not exercise legislative powers. It constantly advised the governor concerning proposed legislation, bills were discussed and law-making was influenced by it, but it did not legislate.

The events which we have just outlined present another striking illustration of the difference between Pennsylvania and the other

[1] *Col. Recs.*, I. 48. [2] Ibid., p. 596 *et seq.* [3] *Col. Recs.*, II. 56.

proprietary provinces. Penn, instead of claiming for himself a special right of initiative, committed it wholly to a large executive council. By making his council elective he at once transferred a very large share of the executive power into the hands of the people. This soon involved the proprietor and his governor in such difficulty, caused such confusion in the regular work of the administration, that by 1700 the necessity of an appointive council must have become obvious to those who had the rights of the proprietor and the permanent interests of the government at heart. But in order to secure it Penn apparently had to concede that the council should possess no legislative power. Thus, unlike the other provinces, the legislature of Pennsylvania came to consist of the governor and one house, that of the assembly.

Having now briefly shown what was the nature of the proprietary province on its territorial and its governmental side, what was at the outset the organization and work of the executive within it, through what changes the legislature passed on the way to the assumption of its final form, it remains by way of conclusion to make one brief statement concerning the position occupied by this form of province in the general course of our colonial history. It will probably be found to have been the least successful among the forms of colonial government and, for that reason, to have had less of the elements of permanence than the others. It was less successful and less permanent than the corporation, because the natural tendency of small frontier communities, like those which existed in these colonies, was toward a democratic organization and a high degree of local independence. That demand the corporation furnished the means of satisfying, while the presence and power of a proprietor and of his agent obstructed the working of this tendency and caused irritation and conflict. As the cause of this conflict was organic, if there was any vigor of political life the conflict must, at least at intervals, continue until either the proprietor or the assembly was definitely and forever master. That the proprietor could become an autocrat is not in any case supposable; his resources were not equal to that, the rights he received from the king would not admit of it. In the long run the executive was bound to appear as the weaker element in this system and must be gradually forced to the wall.

But the proprietor was in danger from another quarter. His province was a special jurisdiction. The powers exercised within it were so much subtracted from the imperial rights and dominion. Hence, it was an obstacle in the way of the complete assertion of royal and parliamentary control over the colonies. That control could be effectively exercised only through the royal province.

Hence with the development of conditions which made the assertion of that control a necessity, it would soon be seen that both the corporation and the proprietary province should give place to the royal province. The history of our colonies shows that tendency in actual operation, and the proprietorships presented a far less united and determined front against it than did the corporations. The proprietor was between two fires—the people and the king—and what the one left the other was likely to consume. He was, therefore, not infrequently willing to sell or surrender his rights to the crown and thus escape from the hopeless conflict. The political structure of which he was the head was thus naturally transitional, and was destined in the course of events to pass away.

HERBERT L. OSGOOD.

THE TAXATION OF TEA, 1767–1773

HISTORIANS are agreed that in 1767 the British Parliament laid a tax of three-pence a pound upon all tea imported into the American colonies. They are also agreed that, owing to certain concessions granted to the East India Company by Parliament, in spite of the tax tea could be sold cheaper in America than in England. But how much cheaper, and just what these concessions were, are questions which have never been satisfactorily answered. It seems to be the prevailing opinion that Parliament granted to exporters of tea to America a drawback of a specific inland duty amounting to one shilling a pound, which was levied on all teas consumed in Great Britain, and that tea could, therefore, be sold nine-pence per pound cheaper in America than in England.[1] A merely cursory examination of the acts of Parliament on the subject, however, shows that this could not be true, for the Townshend Acts, instead of taking off the inland duty of 1 s. a pound from teas exported to America, removed this duty from all teas consumed in Great Britain. How, then, was it possible that the price of tea could be lower in America?

All tea imported into England by the East India Company, who possessed a monopoly of the trade, was subject to the regular customs duties, which consisted of the Old and New Subsidies and other subsidies granted at various times, and which amounted in 1767 to £23. 18s. 7½d. on every £100 of the gross price,[2] or about twenty-four per cent. In addition to these import duties, on being taken from the warehouses and sold at public auction, tea was subject to certain inland duties, which had varied from time to time, but which, at the time of the passage of the Townshend Acts, consisted of one duty of a shilling a pound, and of a further duty of £25 on every £100 of the gross price.[3] The duties on tea thus amounted to about fifty per cent. and 1s. a pound, but an act of 21 Geo. 2. c. 14, which was still in force, permitted tea to be exported to Ireland and America without the payment of either of these inland duties, and the Townshend Acts further modified them by removing for five years, beginning July 5, 1767, the inland duty of one shilling a pound from all teas consumed in Great Britain, and upon the ex-

[1] *Cf.*, for example, Channing, *The United States of America, 1765–1865*, p. 65.
[2] Baldwin, *Survey of the British Customs* (London, 1770), Second Part, pp. 26 and 91.
[3] Act of 18 Geo. 2. c. 26.

portation of teas to "Ireland and his Majesty's plantations in America" a drawback was allowed of the "whole of the duty paid upon the importation thereof" into Great Britain.[1]

At first sight it would seem as if tea, being thus subject to duties of fifty per cent. in England to which it was not subject in America, could be sold in the latter country one-third cheaper than in England. But such was not the case, for what Parliament took off with one hand it laid on again with the other, and this same act of 1767 only granted these drawbacks on condition that the East India Company should make good any deficiency in the revenues that might result from the discontinuance of the duties. The section which states how the amount of this deficiency should be determined is so ambiguously worded that it is little wonder that the present confusion has arisen as to the extent of the drawback. Yet we are not left in doubt as to the intention of Parliament, for some five years later, when the accounts with the East India Company under this act were being settled, Parliament passed an explanatory act, which declares that it is "the true intent and meaning of the said act, That the said united company should fully indemnify your Majesty for any diminution of your Majesty's revenue, which might happen from the experiment in the said act mentioned."[2]

It was the evident purpose of Parliament to enable the East India Company to lower the price of tea,[3] where necessary, to such an extent that they could successfully compete with the Dutch, their great rivals in the East India trade, and it was at the same time their expectation that the company could afford, out of the profits from their increased sales, to make good any deficiency which might result to the revenues of the crown. Whether based upon previous calculations of the East India Company or not, it is impossible to state, but it certainly was the prevalent idea that the concessions granted by Parliament permitted the company to sell teas for export to America twenty-five per cent. cheaper than those for consumption in England. As the East India Company itself seems to have acted on this assumption, for tea was sold in America nine-pence per pound cheaper after the passage of the Townshend Acts,[4] and as the average price of tea had been about four shillings

[1] Act of 7 Geo. 3. c. 56.

[2] Act of 12 Geo. 3. c. 7.

[3] The East India Company, though not permitted to sell at retail, could command the price of tea, and even set different prices in England and America, for they were permitted to name an upset price at their public auction sales, and exporters were required to export direct from the warehouses.

[4] The *Boston Gazette* of September 18, 1769, publishes a notice to the effect that John Metter sold Enoch Greenleaf two chests of tea 9d. O. T. per pound under the common price.

per pound,[1] it is easy to understand how the statement originated that the drawback of the duty on teas exported to America was a shilling a pound, and as this statement was repeatedly made in the debates on the subject in Parliament historians would seem to have had sufficient authority for accepting it. But from the fact of its amounting to one shilling a pound, an accident of price, to infer that the drawback was of a specific inland duty of a similar amount is clearly unwarranted.

If the interpretation of the acts of Parliament that has been given is the correct one, it is evident that it was not a matter of one shilling a pound, nor of twenty-five per cent., but that the actual amount of the benefit of the drawback was dependent upon the East India Company alone,[2] and was determined by the exigencies of the case. And this interpretation is confirmed by the statements of Governor Pownall, who said in the course of the debate on the repeal of the Townshend duties in 1770:

"I have heard it said, that this 3d. per pound duty collected in America does, while a drawback of twenty-five per cent. is allowed here, operate as a bounty of 9 d. per pound in favor of Americans.

"In the first place, the drawback upon those teas exported to America of twenty-five per cent. does not amount to one shilling per pound; it amounts only to 7½d. or thereabout;[3] so that did it operate as a bounty at all it would amount only to 4½d. . . . It does not operate as a bounty at all, for whatever duty the East India Company pays originally at the custom house on importing teas from Asia, that sum is added to the price on their sales; so that although the exporter is allowed a drawback, yet he draws back that sum only which he hath already paid in the price of his purchase."[4]

This interpretation also clears up the otherwise inexplicable statement of Hutchinson that "by taking off twelve-pence, which used to be paid in England, and substituting three-pence only, payable in the colonies, it (tea) was cheaper than it had ever been sold by the illicit traders; and the poor people in America drank the same tea in quality, at three shillings the pound, which the people in England drank at six shillings."[5]

[1] Macpherson, *History of European Commerce with India* (London, 1812), p. 416, states that the total amount of tea sold by the East India Company in 1765 was 5,473,186 pounds for £1,137,238, and in 1766 the amount was 5,586,356 pounds, for £995,858.

[2] By raising the upset price at their auction sales the company could offset all or part of the benefits derived from the drawback.

[3] The price of tea had fallen; see Macpherson, loc. cit., p. 416.

[4] Hansard's *Parliamentary Debates*, XVI. 865.

[5] Hutchinson, *History of Province of Massachusetts Bay*, 1750–1774 (London, 1828), p. 351.

With the explanation that has been given the subsequent acts of Parliament on this subject, which are otherwise very confusing, seem simple enough. The concessions which were granted by the Townshend Acts did not accomplish as much as was expected of them. Though the company's sales of tea were nearly doubled,[1] they found themselves obliged to pay over £115,000 for the first four years of the experiment.[2] Accordingly in 1772, when the act of 1767 was about to expire, Parliament passed another act, this time granting a drawback of three-fifths of the import duties on tea exported to America, without requiring the East India Company to make any indemnity therefor.[3] And the following year (1773), when this was found to be insufficient to induce the Americans to purchase tea, the drawback was increased to cover all of the duties paid on importation, and permission was given to the commissioners of the treasury to grant licenses to the East India Company itself to export tea to America without having put it up for sale at their warehouses.[4] The company could, of course, sell the tea at a much lower price than could be afforded by particular merchants who purchased it in England, so that in 1773, instead of tea being sold in America nine-pence per pound cheaper than in England, if the East India Company had been able to offer for sale the tea imported under this act, they could have sold it at a mere fraction of the price obtained in England.

MAX FARRAND.

[1] Macpherson, loc. cit., pp. 194, 416.

[2] See Act of 12 Geo. 3. c. 7.

[3] Act of 12 Geo. 3. c. 60. The drawback of three-fifths referred to in Bancroft, *History of the United States* (Author's Last Revision), V. 438, 439.

[4] Act of 13 Geo. 3. c. 44.

OFFICE-SEEKING DURING JEFFERSON'S ADMINISTRATION

THE political campaign which resulted in Jefferson's election to the Presidency was one of unparallelled bitterness of feeling. Chiefly through his devoted lieutenants he had inspired the ranks of his party with the belief that the success of democratic government depended upon the success of the party which he led. His triumph, therefore, was popularly believed to be the triumph of the common people. Henceforth forms and ceremonies were to be set aside, and there were to be no privileges for one that another might not also enjoy. "Equal and exact justice to all men, of whatever state or persuasion, religious or political," was the first of the general principles of government which Jefferson announced in his inaugural address. The victory which he and his party gained was complete, but he thought that their permanent supremacy might be rendered certain if he could attract to his standard Federalists of the milder school. To accomplish this, it was plain that the hot hatred between the parties must be tempered. Therefore, he made at his inauguration this famous announcement: "But every difference of opinion is not a difference of principle. We have called by different names brethren of the same principle. We are all republicans; we are all federalists." The Federalists were soothed by these gentle words, and manifested a disposition to give the man who had beaten them a chance to show that he was not actually as bad as they had believed him to be. But if he was to acquire popularity with them he must not remove them from office to make room for Republicans, and the Republicans soon made him understand that, as they had won the election, they thought they had a right to enjoy the spoils of victory. What course to pursue so as to attract his opponents without repelling his friends was a perplexing question to the President. On two points he made up his mind in the beginning. The leading Federalists, being, as he called them, "incurables," should receive no favors from him, and those appointments made by Adams after the result of the presidential election became known should be treated as "nullities." Three days after his inauguration he wrote to Monroe:

I have firmly refused to follow the counsels of those who have advised the giving offices to some of their leaders, in order to reconcile

I have given, and will give only to republicans, under existing circumstances. But I believe with others, that deprivations of office, if made on the ground of political principles alone, would revolt our new converts, and give a body to leaders who now stand alone. Some, I know, must be made. They must be as few as possible, done gradually, and bottomed on some malversation or inherent disqualification. Where we shall draw the line between retaining all and none, is not yet settled, and will not be till we get our administration together, and perhaps even then we shall proceed *a talons*, balancing our measures according to the impression we perceive them to make.[1]

He disclosed his hopes in a letter to Gates the next day:

If we can hit on the true line of conduct which may conciliate the honest part of those who were called federalists, and do justice to those who have so long been excluded from it, I shall hope to be able to obliterate, or rather to unite the names of federalists and republicans.[2]

On the subject of Adams's late appointments he wrote to William B. Giles, March 23, and frequently repeated in subsequent letters the same idea:

. . . . all appointments to *civil* offices *during pleasure*, made after the event of the election was certainly known to Mr. A, are considered as nullities. I do not view the persons appointed as even candidates for office, but make others without noticing or notifying them. Mr. A's best friends have agreed that this is right.[3]

To put this design into operation he drafted the form of a letter to be sent to certain officials. It is in his own hand and bears his endorsement, "Mr. Adams' last appointments."

Sir

The late President, Mr Adams, having not long before his retirement from office, made several appointments to *civil* offices holden *during the will* of the President, when so restricted in time as not to admit sufficient enquiry and consideration, the present President deems it proper that those appointments should be a subject of reconsideration and further enquiry. he considers it as of palpable justice that the officers who are to begin their course as agents of his administration should be persons on whom he has personal reliance for a faithful execution of his views. you will therefore be pleased to consider the appointment you have received as if never made, of which this early notice is given to prevent any derangement which that appointment might produce.[4]

Soon after he had assumed the burdens of his office his plan of action with reference to appointment began to shape itself, and we

[1] Jefferson's *Writings* (Ford), VIII. 10.
[2] *Works*, VIII. 11, 12.
[3] Ibid., 25.
[4] MS. Archives of the Department of State. Unless otherwise stated all the papers quoted are from that source.

shall see in the progress of this paper that the broad principles which he announced when he was inaugurated and immediately afterwards, were in practice lost from sight under the pressure for place of his importunate followers. However great the difficulties which confronted him, he did not avoid them. As he was the head of the government, he accepted all the duties of its administration, and the applications for office which poured in upon him by the hundreds he read himself, marking each letter with his own hand, and considering them from the double standpoint of the welfare of his party and the proper conduct of public business. The most important case to engage his attention in the early days of his administration occurred in Connecticut. It is interesting for many reasons, and chiefly because of the highly-colored picture it presents of the political conditions prevailing in that state. That Jefferson entertained a lively antipathy toward Connecticut is not to be wondered at, when it is seen how cordially a majority of the people of the state detested him.

On February 18, 1801, hardly more than a fortnight before Jefferson became President, Adams appointed Elizur Goodrich to be collector of the port of New Haven, the post having been made vacant by the death of David Austin. Goodrich was thus liable to the "general nullification," but the President dealt with his case cautiously. He wrote to the Postmaster-General, Gideon Granger, March 29:

> There is one in your state which calls for decision, and on which Judge Lincoln will ask yourself and some others to consult and advise me. It is the case of Mr. Goodrich, whose being a recent appointment, made a few days only before Mr. Adams went out of office, is liable to the general nullification I affix to them. Yet there might be reason for continuing him: or if that would do more harm than good, we should inquire who is the person in the state who, superseding Mr. Goodrich, would from his character and standing in society, most effectually silence clamor, and justify the executive in comparison of the two characters.[1]

On the same day he wrote to Pierrepont Edwards also asking his opinion on the subject. Granger replied as follows:

> SUFFIELD April 15th, 1801.
>
> Dear Sir,
>
> Yours of the 29th ult. has been received
>
> As to the case of Mr Goodrich and the general questions affecting removals from office in this State, I have had a full consultation with Messrs Edwards, Thirby and Wolcott and a few other tried friends. They are all agreed that the cause requires the removal of Mr Goodrich

[1] *Writings*, VIII. 44, 45.

immediately, and of various other principal officers as soon and in such manner as the Executive should deem proper; for my own part I have yielded to the same opinion so far as respects the principal officers in Newhaven, Hartford, Middletown and Litchfield though reluctantly and with some apprehension. I had always till last winter fondly cherished the hope that when the public will should declare in favor of the friends of equal liberty the foes to the constitution would attempt a reconciliation, and the country be happy and quiet; nor was this hope abandoned untill I became acquainted with the scandalous scenes acted on the floor of Congress, with a clear view of destroying every thing dear and valuable at a single blow. I am now fully convinced of this truth, that though defeated our foes are not conquered, though they crouch it is but to secure their prey;—that their exertions are and will be increased, and that finally the Republic must expire at the feet of aristocracy, or the faction be fully prostrated.

Our labors are commenced, but not perfected. We are yet to experience the most violent and severe contest every where East of Pennsylvania. In many of the states our friends are safe, and have a fair prospect of success: but with us in Connecticut the prospect is not pleasing, the exertions of our Clergy and Aristocracy at yesterday's election have exceeded every thing before known. The torrents of abuse from the pulpits were incredible, and this State whose representatives have the damning credit of planning the ruin of our happy Constitution, design to make themselves terrible in the opposition. The precise modes of their attacks cannot be known; but that attacks will be made is certain. They may attempt the insideous policy of assumed confidence, and ostensibly yield before the storm while they secretly take every measure to destroy all confidence. I should not be astonished at such an appearance. We are not deficient in [*undecipherable*]. But Sir, let it assume what appearance it may, rest perfectly assured of this truth, 'that the most rancerous and deadly hatred and revenge are the sole passions of all the leaders of the party.

Premising that I am fully sensible of the agitations which will be produced by removals from office, that I have no connections for whom I wish office, and that I sincerely lament the existence of a state of things which require acts calculated to affect individuals, and to give pain to the feelings of the executive—I proceed to state the reasons upon which I have founded my opinion.

First,—the principle cannot be controverted, that it is just, fair and honorable that the friends of the Government should have at least as great a proportion of the honors and offices of the Government as they are of the whole people

Secondly, The general depression of the Republicans in this State, who have suffered every thing, combatting a Phalanx vastly superior to what can be found in any other part of the union forms a strong reason. Nothing can be lost here, and something may be gained: How far this applies to other parts of the union is not for me to judge. A knowl-

edge that we had the real confidence of the Executive I think would have a happy effect, for already it is used as an argument to affect our elections that the President used the Democrats to ride into office, that now seated there he has evinced his contempt for them, and will rely solely on the federalists for support.

Lastly, The sacred rule that no man shall be persecuted for his opinions decently and reasonably maintained will not apply to any of our official Characters. I believe without a single exception All, and I know most have been bitter persecutors. . . .

I cannot close this letter without congratulating you, Sir, upon the complete success of republicanism in Rhode Island.

With the highest Esteem and
Respect I have the Honor
to Subscribe myself
Your real friend
GIDN GRANGER

Thos Jefferson Esq
Presidt of U States

Edwards' reply came a month later. Jefferson endorsed it, "Goodrich to be removed."

NEW HAVEN May 12th, 1801.

Sr

Your letter of the 29th of March came to hand the 9th of April. It would have received an earlier answer, had I sooner been favored with an Opportunity of conferring with our republican friends, in the various parts of the State . . .

There is but one opinion among the intelligent republicans in Connecticutt, respecting the case of Mr Goodrich; all agree, that a removal will be right in itself, and that the Measure is necessary, as it regards the general cause in Connecticutt. We have "*consulted and advised on the subject, taking a broad view of it, general as well as local*" . . . We are convinced, that his being continued in office, instead of reconciling his friends, or any part of the federalists to republicanism, and to your administration will strengthen them in their Opposition. They boldly assert that you dare not dismiss any federal officer in Connecticut. And they assign two reasons—"That you know, that if your administration is supported at all in Connecticutt, it must be supported by the federalists," and, "that you have no confidence in any of the republicans, because you consider them as men unfriendly to all regular Government." They have the Affrontery to promulgate these sentiments in every corner of the State, and with vast industry; and to convince that these sentiments are just, they refer to your conduct with respect to offices in Connecticutt. they say, "Mr. Jefferson has displaced no Officer in Connecticut; he has in other States; and is it because the Officers in Connecticutt are more republican than in other States? No, they are the strongest federalists in the United States; the true cause of his thus conducting is,

he dare not trust a republican in Connecticut, he knows they are, what we assert them to be, *disorganizers.* Every hour that the work of displacing is deferred gives strength to this delusion. I should not have mentioned what I have, were it not constantly and hourly said by the most influential and distinguished of the federal party. A few facts, out of hundreds that might be related with truth, I will mention. A Gentleman of high ranke among the federalists, and holding one of the first Offices in the State, and considered by them as first in most respects, said openly in the Post Office, speaking of Harrison's[1] being displaced "that he would not trust himself alone in a room with you for a single Moment for the world, for he should be sure, that the man who would displace Harrison wou'd assassinate him." And on another Occasion, a few days before, speaking of you as president said, "he wou'd not trust you even to be a tide Waiter." I might fill a volume with speeches of a similar Nature, uttered by men high in Office, uttered by our Clergy, uttered by all ranks among the federalists. They talk here as tho' all power was still in their hands. If you administer the Government, say they, according to former administration, they will support you, but if you displace officers they will turn you out at the next Election.

Our Southern brethren, I presume, have no just conception, as to the state of things in Connecticutt; the malignity of the federalists here is wholly inconceivable to any, but such as are eye and ear witnesses to all; we should be as slow to believe as they, if we had not had the evidence of our own senses, as to their conversation and conduct. The federalists are a corps most systematically organized. The Governor and Council, joined to the corporation of Yale College, which was originally wholly eclesiastical (and thirteen out of twenty one are now eclesiastics,) make all the arrangements; these are communicated to three general meetings of our established Clergy, one holden at the general election in May, one holden in July, called a general association, and one holden at the commencement in September; from these general meetings the plans are communicated to the County consociations, and there there are generally two in each County: these are composed of all the established Clergy living within the precincts of the respective Consociations—from them it is communicated to all the true federalists of each Parish. By these means they act with perfect uniformity; they are also, in this way, taught an uniformity of speech, on all political questions; so that if you hear any thing said by a federalist of tolerable respectibility here, you may be sure that the same thing is prepared to be said every where. Since your election to the Presidency they have formed a plan, which looks more like producing some serious [*undecipherable*] than any that has ever yet been adopted by them: the Clergy are all to inculcate, with earnestness, in private conversation, and from the Pulpit the necessity of submitting to Government, the danger of speaking evil of those who administer the Government, *so long as they administer it well.* they are to shew

[1] Richard Harrison, whom Edward Livingston succeeded as district attorney for New York.

the fatal effects of not observing this sort of conduct ; by stating, that if good men, who are in Office, are calumniated ; it will probably be the means of bringing into office bad men, *Deists*, men of no *religion*, men *profligate in their morals ;* and to shew clearly that such will be the effect of calumniating good officers, they are to tell the people, to look at *recent events.* several sermons have already been delivered in perfect conformity to this Plan. the federalists here do not consider themselves conquered ; they are putting every faculty to the torture to effect the overthrow of your republican Administration. Our leading federalists are all royalists ; they think as our Clergy do "*Moses and Aaron here walk together.*" The throne and the alter have here entered into an alliance offensive and defensive. If they cannot effect a change in the administration, they are resolved to devide the Union. This measure however, even in their minds, has its difficulties ; the Republicans are numerous even in Connecticutt, in Rhode Island they are decidedly a majority, in Massachusetts about seven fifteenths are republicans, in New Hamshire two fifths, in Vermont half are with us. The plan of dividing the Union therefore affords but a gloomy prospect of success, unless the republican party can be lessined ; this must be effected. To accomplish an event so desirable, has given them much thought, and no small share of trouble ; but it is at last determined, so far as Connecticutt is concerned, to adopt the following measures—to disgrace the republican party, as much as possible ; for that purpose to teach, that Mr Jefferson has no confidence in them. a few are to be taken off, by courting them, bringing them into office here, but wholly by the force of federal Votes and influences to relax in the measure which they have heretofore adopted, of turning out every man, who was not a federalist ; to reinstate two or three, who have very good connections, that in the rage of party were turned out ; but on all occasions to teach it for doctrine, that the Democrats in Connecticutt, are a set of men of no *talents*, no *property*, no *morals*, and *unfriendly to all Government.* with these facts in full View, we do not hesitate to say, that a *temporizing* policy will be, here, a *ruinous* policy. The Collector at Middletown deserves a dismision on more grounds than one. Violent, irritable, priest-ridden, implacable, a ferocious federalist, and a most indecent enimy to you and your administration,—one of the toast drank on the 4th of July last at Middletown, was "*Thomas Jefferson* may he receive from his fellow Citizens the reward of his merit," he drank it, adding, "*a halter.*" I could fill a quire of paper with speeches of his equally Violent and indecent. As to Mr Goodrich's successor we all agree that Samuel Bishop Esqr of this town, Mayor of our City Chief Judge of our County Court, and a Decon in one of our established churches ought to be the man. In him will be embraced respectability, integrity, religion steady habits and firm republicanism. I deemed it important to you important to the United States that I should say nothing, in answer to your letter, but what should be the result of correct information, and sound deliberation ; and lest I should fail in some of these important Points I have defered writing till this late hour. I am conscious

that I have written nothing which according to existing evidence, and that full and clear, I am not authorized to write. I am with the highest respect and Regard Your most obᵗ servᵗ

PIERRPONT EDWARDS

to his Excellency Thomas Jefferson.

One other paper from the archives may be quoted here. It is a memorandum in Jefferson's handwriting of a consultation with Livingston, probably Robert R., who was about to proceed on his mission to France.

CONNECTICUT

Mr. Livingston thinks it will be advantageous to make a general sweep in Connetᵗ The people are governed 1. by their clergy 2. by their interest. The clergy irreclaimable The only remaining motive therefore should be brought over to the Republican side as a counterpoise. They were federalists from interest. They are avaricious, and venal, looking always for gain.

Samuel Bishop was appointed in Goodrich's place. Immediately, Elias Shipman and others, a committee of merchants in New Haven, sent a formal remonstrance to the President. "The office," they said, "while filled by Mr. Goodrich, was conducted with a promptness, integrity and ability, satisfactory to the mercantile interests of this district—promptness and ability not to be found in his successor." Jefferson wrote a long and elaborate response, seizing the occasion to make a public announcement of his policy. He had satisfied himself, he said, of Bishop's fitness. Touching Goodrich's removal and his declarations in favor of political harmony, he said they had been misconstrued as assurances that "the tenure of office was not to be disturbed." This he thought unfair. "When it is considered, that during the late administration, those who were not of a particular sect of politics were excluded from all office; when, by a steady pursuit of this measure, nearly the whole offices of the United States were monopolized by that sect; when the public sentiment at length declared itself, and burst open the doors of honour and confidence to those whose opinions they more approved; was it to be imagined that this monopoly of office was still to be continued in the hands of the minority? Does it violate their rights, to assert some rights in the majority also? Is it political intolerance to claim a proportionate share of the direction of public affairs? Can they not harmonize in society unless they have everything in their own hands?" He thought if removals must be made they could most justly fall upon those appointed in the last hours of Adams's administration. "Mr. Goodrich was one of these. Was it proper for him to place himself

in office, without knowing whether those whose agent he was to be, could have confidence in his agency? Can the preference of another as the successor of Mr. Austin be candidly called a removal of Mr. Goodrich? If a due participation of office is a matter of right, how are vacancies to be obtained? Those by death are few, by resignation none. Can any other mode than by removal be proposed? This is a painful office: but it is my duty, and I meet it as such." [1]

The effect of this letter might easily have been foreseen. It increased the number of applications for office and encouraged the Republicans to hope for a general removal of Federalist officials.[2] Nevertheless Jefferson was glad he had written it, as it gave him an opportunity to disavow the "sophistical construction" which had been placed upon his declarations of March 4.[3] However fit for the office Bishop may have been, he did not enjoy it long. He died in the summer of 1803, and his son, Abraham Bishop, also a staunch Republican, was appointed in his place.

While the Federalists of Connecticut were thus early marked for slaughter, it was Jefferson's belief that in the South the Republicans would demand few removals. He wrote to McKean, of Pennsylvania, July 24, 1801: "What is done in one state very often shocks another, though where it is done it is wholesome. South of the Potomac not a single removal has been asked. On the contrary they are urgent that none shall be made." [4]

This may have been true at the time when it was written, but there was unmistakable proof soon afterwards that the Southern Republicans shared the spirit of the Republicans of the North. Who was the author of the following letter does not appear, but he was doubtless a man of influence, and the letter passed through Jefferson's hands before it was filed in the State Department.

Copy.

CHARLESTON July 24th 1801.

Dear Sir.

. . . But I do say that no confidence ought to be put in any of the party, and that a temporizing plan will be the destruction of those who make use of it; I look upon the whole federal party (with but few exceptions) as men, who if they had the power, woud distroy the present Government, merely that they might be revenged on those now in possession, and who support it on revolutionary principles. They are so soured at their late defeat, that I firmly believe they woud make our

[1] *Writings*, VIII. 67 *et seq.*

[2] See Gallatin to Jefferson, Gallatin's *Writings*, I. 32, 33.

[3] Jefferson's *Writings*, VIII. 78.

[4] Ibid.

government a monarchy, or even restore it to the stupid wretch who once was our master, coud they but bear down the present administration. I have no confidence in federalists, every day exposes their cloven feet, and if our government does not act with a firm hand, and make an example of all those who have trodden down the liberties of the people, and who ruled with a Robespeirian sway in 98 and 99, they will rise into power again, and all the trouble the republicans have been at to bring things back to first principles has been exerted in vain. The Banks ought to be purified, the branch bank here has 12 federalists to 1 republican. The monied interest I fear is hostile to the present administration, without this engine is turned about, or in some measure bridled, it will overset the vessel, and I am sure it could not be done if due precautions are taken, for as a party, the federalists are not formidable, they are composed of trifling lawyers, men swoln with family pride, ignorance and impudence; fellows thirsting for gain; others filled with an itch for dipping their hands in the public purse, under cover of appointments; and all the old tories and their descendants. The Judiciary is also inimical, but I fear, the only purifier of this engine will be time; as the judges die off, the government must be careful to replace honest men in the room of the present set of flexible gentry; until these desirable events take place they must be watched well . . .

Another letter from the same city is from Ædanus Burke, whose powerful democratic reasoning in a pamphlet levelled against the Society of the Cincinnati had been translated into French by Mirabeau and figured in the democracy of the French Revolution. Philip Freneau, in whose behalf a part of the letter was written, was then living in New York, and was later, October 23, 1803, urged by Francis Bailey for appointment as postmaster at that city. Bailey's letter, like Burke's, was addressed to Madison, to whom few applications for office were sent while he was Secretary of State, the greater portion of those not directly addressed to the President going to Gallatin, the Secretary of the Treasury. Burke's letter reveals the fact that it was Madison who prompted the appointment of Freneau as translator in the State Department, when Jefferson was Secretary of State under Washington. While holding the office, Freneau edited the *National Gazette*, an extreme Anti-federalist organ, which constantly attacked Washington and Hamilton. However well-disposed towards him personally Jefferson and Madison may have been, he received no appointment from his former patrons. The second portion of Burke's letter shows, in the striking style which made him famous, the extreme animosity between the opposing parties in South Carolina.

CHARLESTON 13th Sept. 1801.

I remember, it was about the last fortnight that we served together in Congress, in 1791, I one day called you aside, and mentioned the

name of M[r] Phillip Freneau to you, as one I knew you esteemed, and then lay strugling under difficulties, with his family. My memory brings to my recollection, that you mentioned the matter to the Secretary of State, M[r] Jefferson. Freneau was invited from N. York, and had the place of interpreter, with a mere trifle of Salary. Little did William Smith know, that you were the author or cause of bringing Freneau from New York ; or he might have turned against you, his terrible battery of the slanders and invectives which he poured forth against M[r] Jefferson for three or four years afterwards. I am sorry to have it to say, that Freneau, with his wife and two children, is still in embarrassed circumstances. He is a virtuous, honest man, and an undeviating Republican ; yet utterly incapable of solliciting anything for himself. The best apology I can offer for mentioning it, is that I know you have great regard for him. You were at college together, as I heard you often say.

I have not the pleasure of being intimate with the present Secretary of the Treasury, tho I have been in his Company. His father in Law's family in N. York always receive me as a friend. I fear I am incorrect in mentioning to you, what I know belongs to his department ; and the statement that I am about to make is merely for his information.

The Surveyor for this port, is M[r] Edward Weyman. Amoung the Republicans in and around this city, there is a lively apprehension, that thro some mistake or other, he may be removed from his Employment ; not so much, I do confess, on the Score of his being a very worthy honest man, as for his republican principles. During the reign of Terror in 1798 and 99 which struck into the minds of men such a dread and panic in this City, there were not ten men to whom I dare speak my mind ; there were not, I declare before God, there were not half a dozen men, yet Weyman never quitted the Ground ; and I expected every week nothing less than his removal. I congratulate you Sir, that that Season of Tribulation is past. I have been a prisoner of war in the hands of the British for Sixteen months, captured with the Garrison in Charleston : and provided I had a good Guarantee of an Exchange, I would as lieve go to the Devil for Sixteen months more as be with the British again ; and yet, it was not so excruciating to one's feelings, as the despotic insolence, with which one part of our fellow citizens hunted down those who differed from them in that day. I visited Philadelphia and N. York during part of that time. No historical account will be able to give a good idea of it. I fear it is a national crime, and may God forgive the Guilty and Guard the innocent in future.

Accept, Sir my high respect and Esteem for you.

Æ : Burke.

The Honble
James Madison Esq.

As his administration progressed Jefferson abandoned his plan of placating the Federalists. February 18, 1803, he said in a letter to Benjamin Hawkins :

The preceding administration left 99 out of every hundred in public offices of the federal sect. Republicanism had been the mark of Cain which had rendered those who bore it exiles from all portion in the trusts and authorities of their country. This description of citizens called imperiously and justly for a restoration of right. It was intended, however, to have yielded to this in so moderate a degree as might conciliate those who had obtained exclusive possession; but as soon as they were touched, they endeavored to set fire to the four corners of the public fabric, and obliged us to deprive of the influence of office several who were using it with activity and vigilance to destroy the confidence of the people in their government, and thus to proceed in the drudgery of removal farther than would have been, had not their own hostile enterprises rendered it necessary in self-defence.[1]

Writing on the same subject to William Duane, the editor of the *Aurora*, later in the year (July 24) he said that, as a result of removals, deaths and resignations, only 130 offices subject to his appointment were held by Federalists, out of a total of 316.[2] There is a tabulated statement among the archives, showing by states and districts the officers of "External Revenue," or customs, and the changes which had been made up to June 16, 1803. Of a total of 165 officers, fifty-nine were new appointments. Eight changes are charged to death, nine to "misbehavior" and four to resignation. The remaining thirty-eight changes were doubtless based upon political considerations. Ædanus Burke's letter, already quoted, and a few other letters indicate that some of the incumbents who were not removed by Jefferson were republicans. Before his administration expired forty-six more appointments were made in the customs service,[3] making one hundred and five in all.

In the judiciary changes could only be effected as death or resignation afforded opportunity, and the idea of "due proportion" required that only adherents of the dominant party should receive preferment. In 1804 Alfred Moore, of North Carolina, resigned from the federal Supreme Court, and Jefferson determined to appoint a South Carolina lawyer to the vacancy. The result of his search for a suitable character is shown in the following memorandum. The Gaillard whose name he considered was Theodore Gaillard, afterwards chancellor and state judge, the brother of John Gaillard, who was subsequently a senator. William Johnson's name was sent to the Senate March 22, 1804.[4]

[1] *Writings*, VIII. 212, 213.
[2] Id., 258.
[3] *Executive Journal of the Senate*, I. and II.
[4] Id., I. 466.

1804 Feb. 17. Characters of the lawyers of S. C. W. H. T. S.[1]

John Julius Pringle, Waities[2] } These are the two principal of those called republicans. They are of old standing, and highest repute. Pringle was wavering once, was even with the federalists, but got back again. but both are so moderate, that they only vote with the republicans; they never meddle otherwise. Pringle is so rich that he confines his practice to Charleston, and it is thought would not accept a commission which should call him from there. Waities is so sickly that he would not be able to ride. neither would possess the confidence of the republicans.

William Johnson. a state judge. an excellent lawyer, prompt, eloquent, of irreproachable character, republican connections, and of good nerves in his political principles about 35 years old. was speaker some years.

Trisvan.[3] a state judge. of equal respectability, or very nearly so, and indeed in every qualification as Johnson. same age. but of such total feebleness of body as to be quite unfit.

Gilliard. was speaker of the assembly, equal in talents to Johnson
all his connections were revolutionary tories, and their estates confiscated. They got something back again, at least his father did. This young man was educated abroad. he returned soured ag^{t} those in power for what his family had suffered. he found he had nothing to hope from them, and joined those who now constitute the republican party. his conduct while in the assembly was uniformly firm, almost vindictive; yet in an instance or two, from family influence or interest he has swerved a little from sound principle. upon the whole, his standing is not quite as respectable as that of Johnson.

There appears to have been no exception in favor of non-partisan appointments in any branches or grades of the service, political considerations entering into all from the Supreme Court to department clerkships. An illustration is found in the case of Anthony Campbell and William P. Gardner, two clerks in the auditor's office

[1] Wade Hampton, a representative, and Thomas Sumter, a senator from South Carolina, doubtless Jefferson's informants.

[2] Thomas Waties, a State judge. [3] No doubt meant for Judge Lewis C. Trezevant.

during the Adams administration. In a letter to Jefferson, dated October 12, 1801, Campbell tells why he left the service. During the latter part of Adams's term the official accounts of Timothy Pickering, as Secretary of State, and of General Jonathan Dayton of the army, fell into Campbell's hands in the course of his duties, and he thought they gave evidence of "defalcations and speculations." Accordingly he carried copies of them to Duane, of the *Aurora*, and later produced the original account-book itself, with which the copies were compared, and from which several additional copies were made. The story of Federalist peculations appeared in due course in the *Aurora*, *American Citizen*, and other Republican papers. Gardner's part in the transaction was, according to Campbell, that of subordinate assistance. Campbell was dismissed and Gardner resigned, but the full measure of their offense was not discovered until after they had left the service. Upon the accession of Jefferson, Duane asked that Gardner be appointed agent to the Choctaw Indians, and that Campbell be given a commission in the army.[1] Gallatin wrote to Jefferson August 10, 1801: "Whatever impropriety there might be in their conduct, I have reason to believe Gardner to be a man of honor. Campbell is very impudent, but as enthusiastic as his friends (the United Irishmen, I mean) commonly are."[2]

Under date of August 14, Jefferson replied that Gardner either should have the place he wanted, or he "should wish to make some other provision for him." He added: "With respect to Campbell, a restoration to the same office would seem to be the best and safest redress."[3] Again, August 28, he wrote: "I think we should do justice to Campbell and Gardner, and cannot suppose the Auditor will think hard of replacing them in their former berths."[4] But when Gallatin approached the auditor on the subject he was met by a very determined opposition, and he gave it as his own opinion that Campbell, at any rate, ought not to be restored.[5] It was at this juncture (February 26, 1802), that Campbell wrote a voluminous and sophomoric communication to Jefferson. So far from having committed a breach of trust while he was in office, he thought his conduct most praiseworthy.

Besides being supported by the strongest hereditary claims on national gratitude, perhaps, few surviving individuals have stronger claims to the patronage of a republican administration. The mature part of my life and a competence has been devoted and sacrificed on the alters of liberty. Numerous testimonials of the truth of these assertions are in my

[1] Gallatin's *Writings*, I. 34.
[2] *Writings*, I. 34.
[3] Id., I. 37.
[4] Id., I. 42.
[5] Id., I. 50.

possession. One, and the most recent, is the certificate of three virtuous, respectable and influential American republicans; testifies that I have 'rendered the United States an essential service.'

After stating that this very service had been the cause of injury to him, and that he was reduced to extremities, having parted with his watch, and even that part of his "small wardrobe not in actual service," he proceeded vehemently to defend his conduct. His disclosures had assisted the Republican cause, he said, and tended to "derange the wicked plans of the sanguinary myrmidons of reviving toryism." He did not understand that his oath of office imposed silence on clerks, or required them to conceal the irregularities of public officials. "Would it," he said, "have been patriotic to have wrapped myself up in the mantle of hypocritic silence, when I knew (or even thought I knew) there was a party in power, whose grand object it was to annihilate every vestige of republicanism; to trample on equal rights; to subvert the dearest rights of man!!" Fondly would he hope that his case might not be cited "as the last sad example of the ingratitude of Republics." He begged for an Indian agency or a clerkship.

While Gardner's application was pending, his friend Duane wrote to him. The letter is dated Philadelphia, June 11, 1801, where Duane was at the time in the debtors' prison. In the course of the letter he said he found his situation "far from irksome or inconvenient," as he enjoyed the society of his family and friends, and thought this attack on him, like former ones, likely to produce public good, as well as benefit to him personally. The letter begins, "Dear Gardner," and says: "I know that there is much Disgust felt by the Heads of Departments at the Conduct of the whole of the Clerks in the Offices and that none of them that have misconducted themselves will ultimately be retained." At the same time he pointed out the difficulty of removing them, until there had been time to estimate them and learn what duties they severally performed.

In a letter to Gallatin dated Washington, June 31, 1801, Gardner asserted that the publication of the accounts originated with him. He added:

> If in your view I have acted improperly in publishing these accounts, I beg you will ascribe the Act to the purest motive. . . . I considered that the publication of these accounts wou'd have a material effect upon the minds of the people and essentially aid the Cause of Republicanism at the then approaching election. . . . It does not follow that because I have published the accounts in Question I make a practice of these things No, Sir! I adhor the Idea of such Conduct. It was done under peculiar Circumstances and at a time when no genuine Republican shou'd have been found sleeping at his post.

Following the vein of Duane's letter to him, Gardner wrote to the President from Philadelphia, November 20, 1801, saying in the course of his letter:

My attachment to the cause of Republicanism and my ardent Wishes for the prosperity of your Administration induce me to mention the names of some Persons who are now in Office under the General Government. Men who I know to be the bitterest and most violent enemies of the Principles of our Constitution. Mr. Wagner Chief Clerk in the Office of Mr Madison has in my hearing frequently ridiculed Republicanism, declaring in the language of Mr Adams, that it meant anything or nothing. He has said that he never knew a man among the Republicans trustworthy, of probity or principle. About two years since he made a Bet with Mr. Jeremiah Pearsal of this City that Mr Gallatin in the Course of one year from that Date wou'd either be hung or sent out of the Country, observing at the same time that he considered himself perfectly justified in making the Bet from the well known infamy of Mr Gallatin's Character. . . . The late Mr Robert Jones Heath informd me when I was at Washington that Edward Jones, Chief Clerk in the Treasury Department was one, among a few others, who at Trenton in the year 1798, when the public Offices were there, gave Mr Heath an invitation to drink a Glass of Wine and the first Toast given was "D———n to Thomas Jefferson."

He gave a list of "Revilers and slanderers of those under whom they are now placed." It included seven names of clerks in the several departments.

March 10, 1802, Gardner was nominated to be consul at Demerara,[1] and on March 25 Campbell's name was sent to the Senate as an ensign in the army.[2] Yet both of these men had been guilty of a flagrant breach of trust. Even if the accounts which they published had really proved defalcations by Pickering and Dayton (which they did not do) their action in disclosing official secrets was none the less blameworthy. Campbell had done more than this. He had purloined for a brief period the official record, an offense now punishable by fine and imprisonment. That they thought themselves right and that they were rewarded by Jefferson simply shows how political passion may blind the better natures of men.

But while the President was often blinded to the faults of ardent, effective Republicans, there was one Republican of fast-rising reputation in the country whom he estimated carefully and perhaps unfavorably. It was Andrew Jackson, of Tennessee. In the spring of 1804, when Jackson was in Washington, he wrote to his friend, George W. Campbell, on the subject of his candidacy for appointment as governor of the newly-created Territory of Orleans. He

[1] *Executive Journals*, I. 409. [2] Id., 415.

would not, he said, personally solicit the post from the President, as he considered such a course unworthy, and he did not, apparently, think his chances of appointment promising. He continued:

Who the choice is to fall upon is not known here unless to the secretary of State—but I have reason to conclude that Mr. Claiborne will not fill that office,[1] I have also reason to believe that if a suitable character can be found who is master of the French Language that he will be preferred. I think that, a proper qualification of the Governor of that country to pŏssess, provided it is accompanied with other necessary ones. I never had any sanguine expectations of filling the office. If I should it will be more than I expect.[2]

Jackson's name was regularly brought forward in a joint letter to Jefferson from the Tennessee senators, Anderson and Cocke, the representatives, Campbell, Dickson and Rhea, and Matthew Lyon, whose tempestuous career in New England had terminated, and who was then a representative from Kentucky. The letter, which is undated, is as follows:

FEDERAL CITY

Sir—

We the undersigned being sensibly impress'd with the importance of haveing a proper Character for Governor of Orleans—and believing it to be our duty, to bring to your View such a one as we believe will so Conduct as to promote the best interest of the United States—and possess the Confidence of the Western people; whose interest will be verry greatly concernd therein—and believing that the person, who shall be appointed to that office—ought to possess in an eminent degree zeal and inflexible integrity—perspecuity of mind and soundness of Judgment—promptitude in decision, in emergent cases—and firmness in their Execution; such a knowledge of the Human mind as to manage its foibles, its follies, and its views so as to conciliate them to obedience to the Laws; or to punish them with such discretion, as to leave no cause for murmer—and yet Command Submission—easy of access to all who may have business to transact and yet so deport himself as to preserve the proper dignity of the office—Such qualities do we recognize in the Honble Andrew Jackson now one of the Judges of the Superior Court—and Major General of the State of Tennessee—and do therefore recommend him, as a proper Character for that appointment—with Sentiments of Very high consideration.

JOS: ANDERSON
W^m^ COCKE
G: W: CAMPBELL
W^m^ DICKSON
JOHN RHEA
M. LYON.

[1] He was appointed.

[2] Parton's *Jackson*, I. 237.

Daniel Smith, who had recently retired as senator from Tennessee, and who resumed the office in 1805, also wrote in Jackson's behalf, but a neighbor of Smith's in Sumner County, William Henderson, thought it proper to warn the President against appointing the man whose feud with Governor Sevier had just terminated and who was on the eve of his deadly quarrel with Charles Dickinson.

SUMNER COUNTY—STATE OF TENNESSEE.
February 28th 1804

Dear Sir

I congratulate you upon the Session of the Louisiana Country to the United States. we are informed that it will be divided into two Territorial destricts, I suppose each destrict will have a Governor and am apprehensive that Andrew Jackson of this State has by some of his friends and connections been recommended to you as a proper person to fill one of those important Offices.

As I have some expectations of being a Citizen of that Country I feel myself somewhat interested in those appointments.

Sir from my long acquaintance with you I have taken the liberty of droping a few hints (to you) for the good of the public and citizens at large respecting that Gentleman I have been acquainted with Mr Jackson for several years and view him as a man of Violent passion, arbitrary in his disposition and frequently engaged in broils and disputes. No character escapes him, is now sued for an assault and Battery, and in a few days will be indicted for a breach of the peace, Such a character I conceive is not a proper one to fill the office of Governor tho he is a man of talents and were it not for those dispotic principles he might be a usefull man.

I am D Sir Respectfully
Your Mo. ob. and Humⁱ srv.
WILLIAM HENDERSON.

How far Jefferson was influenced by Henderson's letter in his rejection of Jackson can only be conjectured. It is probable, however, that he shared Henderson's opinion, for, many years afterwards, he pronounced Jackson, according to Daniel Webster's report, "a dangerous man."[1] Such, briefly, is the story of the unsuccessful attempt of the future hero of the Democratic party to obtain an office from its first leader. At the time when Jackson was an office-seeker Jefferson had been President nearly three years. He was dispensing the federal patronage carefully and methodically, but the result of his methods did not differ materially from that attained by Jackson a generation later.

The papers already quoted are a fair index to Republican public sentiment in New England and the South. In the Middle States

[1] See Parton's *Jackson*, I. 219.

party feeling ran almost, if not quite, as high. The following memorial is against Moses Kempton, collector of customs at Burlington, New Jersey. He was removed and William H. Burr, whom the memorialists recommended, was appointed in his place March 24, 1804.[1]

To the President of the U. States,—

The Memorial and Representation, of the Subscribers, republican Citizens, of the district of Burlington, in the State of New Jersey, respectfully Shóweth—

That we have beheld with considerable regret for some time past, Moses Kempton Esquire, in occupancy of the office of Collector of the Customs, for this District; and pray that he may be succeeded by William H. Burr Esquire; for the following reasons.—

1st The said Moses Kimpton is a violent Federalist, and a rigid persecutor of Republicans; as a proof of which we state the following facts; On the 10 February 1802 William Pearson, (in company with William Coxe both members of the Legislature, and violent friends of order) was arraigned at the Bar of the Court, of Quarter Sessions, of this County; for waylaying and inhumanly beating, a respectable republican Citizen, viz. Ebenezer Tucker Esquire, on the Question of the Court (of which Mr. Kimpton was a member) what sum the said Pearson should be fined, for the outrage, the said Kimpton voted for the culprit to pay the insignificant sum of *10 cents;* when William H. Burr Esquire and other republican members, voted that Pearson should be fined from 500 to 800 Dollars; see the "True American of the 30 March 1802.—2nd We very much doubt the said Kimptons, Honesty and Integrity. . . .

We presume it would be superfluous, in us, to remind the President, how expedient it is, to remove from power, and Influential offices, men of M Kimptons character and violence; and for men to succeed them, who are just and moderate, and who are not only attached to Republican Men, but Republican measures. . . .

District of Burlington
May 25th 1803
Amos Hutchins
George Painter,
and seven others.

Republicans in Pennsylvania, as those in Connecticut and South Carolina, asserted that some of the Federalists were intriguing with a view to overthrowing the republic. Tench Coxe wrote to Jefferson from Lancaster, April 23, 1801:

It is not a pretense, that there exists in the United States an interest unfriendly to representative government, and that it has formed a local American alliance, and a foreign anti-republican Alliance. How

[1] *Executive Journal of the Senate*, I. 466.

far it has influenced the appointment of many incumbents in office will not escape consideration on the present occasion. . . . If we survey the channels thro which the persons alluded to have worked upon the public mind we shall find them filled with arguments against any changes, to cover those, which they most desire to maintain in office and promote the introduction of other persons of like principles and opinions. Under such circumstances it becomes *deeply* interesting, that sincere, vigilant, energetic, firm and able friends to our form of government should be employed.

From Carlisle, March 23, 1801, William Irvine wrote in a similar vein to Madison:

Many of us, you and I amongst the first, have been some years past vilely traduced, as men who were using every effort (insidiously too) to destroy the Government. this charge might fairly and on good ground be retorted. but it is time if it can be effected to have done with revilings and abuse; I fear however it will be difficult, as that will not answer the purpose of the oposite party, some of whome I am confident will be satisfied with nothing short of some form of Monarchy. these to be sure are not numerous, and they would be deserted by many who talk highly of their Federalism, the moment they understood their leaders actually meant a Monarchy. They all now, at the present moment, affect great moderation, speak of conciliation as very desirable, extoll the Presidents speech—&c &c. But mark the end. they expect and wish conciliation all on one side. so soon as they find that they and friends are to be dismissed from office, the [*sic*] will bounce and kick.

My opinion on this head is, that their temper and spirit should be fairly tried, there is no danger in an experiment of this kind, they say the Democrats (an epithet of reproach) have not capable men enough to fill the offices if they were even well disposed. I am among those who gives no credit to this, I believe there are plenty as capable and much more deserving in all respects than the present incumbents.

On general principle, I am persuaded it will be highly injurious to the Republican interest, if the changes are not pretty general. For Pennsylvania, where the thing has come more immediately under my observation, I know it is indispensably necessary that a general change should take place in the Excise officers particularly, they never were very well chosen it is well known that Excise officers in Penn^{a} have made use of the powers the office gave them to its full extent, for Electioneering purposes, and in short, trample on the Republicans—by pressing them, when in their power, and sparing the Federalists, to the risk and perhaps ultimate loss of the public—the Chief of these gentry, it is well known, had much, very much influence, in keeping together the 13 members of the Penn^{a} Senate, who prevented an unanimous vote for M^{r} Jefferson If they are not turned out, in due time, it must and will discourage hereafter the exertions of the Republicans, this is human nature, no danger will result from putting down one set and gradually raising the other in their stead.

Many (friends too) fear least the President and heads of Departments may be too timid, conciliating and temporizing. I tell them, I cannot believe this. they must and will see the propriety and necessity of decision and firmness, mixed no doubt with temper and moderation—at the same time preferring the friends and real supporters of Government to their and its enemies.

The political situation in New York has been in an ensnarled condition since the beginning of the government. Jefferson determined at the outset to make removals there. He wrote George Clinton, May 17, 1801 :

To you I need not make the observation that of all the duties imposed on the executive head of a government, appointment to office is the most difficult and most irksome. . . . Disposed myself to make as few changes as possible, to endeavor to restore harmony by avoiding everything harsh, and to remove only for malconduct, I have nevertheless been persuaded that circumstances in your state, and still more in the neighboring states on both sides, require something more. It is represented that the Collector, Naval Officer and Supervisor ought all to be removed for the violence of their character and conduct.[1]

An unsigned paper in the handwriting of Aaron Burr, and endorsed by Jefferson "from Col° Burr" reads as follows :

NEW YORK

David Gelston collector vice Sands John Swartwout Marshall————Giles Theod.r Bailey Surver.y and Inspect.—Fish Matth. L. Davis Naval officer——Rogers Ed. Livingston Dist. Att.y——Harrison.	The repub.s of the N. York delegation in Senate and H. of Rep. are unanimously of opinion that these changes should immediately be made. They unite also in the arrangement here proposed except that one Gentleman would prefer that Bailey and Davis should change places. Willet and Browne are also candidates for the office of Marshall. They are all well known to A. Gallatin.
Post M.r at Esopus vice Elmendorf D at Poughpsie vice	These are the suggestions of A. B. from personal knowledge.

Bailey and Davis were not appointed, but the other names on the list were sent to the Senate.

Yet from New York came almost the only letter in favor of the appointment of a Federalist to office. It was written by Samuel

[1] *Writings*, VIII. 52, 53.

Miller February 6, 1805, and was addressed to Gallatin. It is needless to say its recommendation was unsuccessful.

Judge Hobart of our district is dead; and the necessity of appointing another district Judge will immediately occur. The object of this letter is to ask whether M^r^ *William Johnson*, of our city, (with all his federalism) would stand any chance of being thought of, and nominated to this office? You are somewhat acquainted with his general character; and those who know him more intimately, I am confident, would find no difficulty in recommending him highly as a man of talents, learning, integrity, dignity and urbanity. If I mistake not, his talents are peculiarly fitted to fill with honor and usefulness a judicial seat; and his great modesty renders such a plan peculiarly desirable to him. His political character, (tho' on the wrong side) is remarkably mild and unoffending; and I am firmly persuaded would give no trouble to the government, or to any one else. . . .

The applications for office during Jefferson's administration prove beyond dispute that prevailing public sentiment on the subject of appointments and removals was in favor of their being made for political reasons. Jefferson recognized and followed this sentiment, and he achieved a popularity which increased instead of diminishing. His first election to the presidency was obtained by a narrow majority through the House of Representatives, the electoral colleges failing to give him a majority vote. His second election was won easily, the opposition to him having become insignificant, and he might have secured a third term had he desired it. After his retirement he still remained the foremost character in America in the eyes of his party, and that party has continued to conjure with his name for nearly a century. No other president since Washington has enjoyed such a popular approval, with the possible exception of the man whom he would not appoint as governor of the new Territory of Orleans, and whom his correspondent described as "of Violent passions, arbitrary in his disposition and frequently engaged in broils and disputes."

GAILLARD HUNT.

TAMMANY HALL AND THE DORR REBELLION

SINCE the adoption of the Constitution of the United States, no civil or political conflict has arisen in any state more interesting to the historian of American life or more instructive to the student of political and constitutional matters than the so-called "Dorr Rebellion" in Rhode Island. The six weeks of armed controversy, during the months of May and June, 1842, were but an incident in the three years' struggle for a more popular government in the little commonwealth, and the agitation of the years 1841–1843 was but one step, though the most important, in the change from the oligarchy of 1775 to the democracy of 1888. The Dorr Rebellion was not an isolated fact. An understanding of its meaning and importance can be obtained only by a thorough study of the political and constitutional history of the colony and the state from the reception of the charter of 1663 until the adoption of the suffrage amendment to the constitution in 1888.

The issue underlying this whole struggle was the general right of the people to adopt a new constitution. In the words of the Rhode Island Suffrage Association, the position held by the advocates of a change in the form of government was that "whenever a majority of the citizens of this State, who are recognized as citizens of the United States, shall, by their delegates in convention assembled, draught a constitution, and the same shall be accepted by their constituents, it will be, to all intents and purposes, the law of the State." In other words they declared that a "majority of the 'governed' have at any time, and on any occasion, a right to change their government—a right which being inherent, unalienable and indefeasible, not even they can part with by their free and voluntary act."

In the course of the struggle between the "People's Party" and the "Law and Order Men" or the "Algerines," as they were called by their opponents, several other issues presented themselves. When the rival state governments appealed to the President of the United States to bring the national government and the federal army into the contest, the constitutional issue was raised as to the authority of the national executive as an arbitrator in such crises in the commonwealths. The right of the national legislature and that of the federal judiciary to decide between the two conflicting govern-

ments were most thoroughly discussed in connection with this controversy. It is evident that, though the contest was local, the questions presented were national in importance.

Several other issues came into view before the contest was ended. The refusal of certain state governors to honor the requisition of the *de-facto* governor of Rhode Island to hold in arrest the fugitive leader of the defeated party, added a complication to the situation. The declaration of martial law by the "Law and Order" governor, under power voted him by the "Charter" general assembly, led to the decision of the supreme court of the state of Rhode Island, and to the individual opinion of Justice Woodbury, of the United States Supreme Court, in the famous Luther-Borden case. Again, when the contest had subsided, the trial of the leader of the insurrection gave rise to the novel plea that there could be no treason against a single state, inasmuch as the Constitution of the United States defined treason against the United States only. Further, the natural conflict between legislature and judiciary was emphasized by the action taken by the Rhode Island general assembly, several years afterwards, in ordering that the records of the trial for treason and the conviction of "Governor" Dorr be obliterated from the records of the state.

Not the least interesting among the constitutional, political, legal and social issues which the Dorr Rebellion produced were the various attempts made in other states to interfere in the Rhode Island controversy. The "cause of liberty," so dear to the American people, would not permit them to let this contest pass by without expressions of sympathy at least. From Maine to Louisiana the newspapers freely expressed themselves in favor either of the "People's Party," or of the "Law and Order" government. Within the state of Rhode Island national politics did not enter into the controversy, as leading Democrats joined with the Whigs in establishing the charter government in 1842. Elsewhere the newspapers and the people in general were influenced, almost without exception, by their party predilections as they took sides on the issue.

In Boston the Democratic *Post* was very earnest in its support of the "People's Party" and the Dorr government. It was the first newspaper, outside of Rhode Island, to call attention to the struggle in the neighboring state, and, from the beginning of January, 1842, until long after the "People's Government" had entirely collapsed, the *Post* continued to praise the Suffragists, and to heap obloquy upon the "Algerines" and every opponent of the popular movement. On the other hand, the Boston *Atlas*, true to its Whig principles, found the Democracy hidden behind Dorr and his party, and

vehemently upheld the charter government. As early as April 20, 1842, it said editorially : "The Rhode Island Loco-Foco revolution turns out, as we presumed it would, to have been a bloodless one."

In New York also the newspapers divided along party lines. The *Evening Post*, assisted by the *New Era*, notorious under the editorship of Levi Slamm, was insistent in season and out of season, that the rights of "the people," and of Governor Dorr in particular, should be protected. The *Courier and Enquirer* and the *American* enthusiastically supported Governor King and bitterly commented upon every act of the "revolutionists." No less certain of its position was the Washington *National Intelligencer*, which daily informed its readers of the situation in Rhode Island, and animadverted upon the desperate wickedness of all who opposed the legitimate government in the little commonwealth. Interest in the controversy extended even farther than the national capital. The *Richmond Enquirer* advised the federal government to keep its hands off. "Move not a soldier,—send not a musket into Rhode Island." The New Orleans *Commercial Bulletin* took a different view, and demanded interference. "The posture of affairs in Rhode Island is truly deplorable, and if suffered to proceed much farther will do more to impair American credit and character abroad than any event since the date of our government."

Naturally the people were not far behind the newspapers in giving expression to their sentiments. The strength of the "Law and Order" government was soon perceived, however, and the weakness of the "People's Party" prevented the necessity of any special movement in opposition to it. Mass meetings were held in various cities, Philadelphia and Boston in particular, to express sympathy for the "oppressed people" of Rhode Island. New York took the lead in advising the use of arms in establishing the "People's Government," and in resisting the government *de facto*, even though the latter be aided by the federal authorities.

About the middle of April 1842 the *Evening Post* called attention to a proposed memorial, which was in circulation in the city of New York, "calling on the House of Representatives to impeach President Tyler for his armed interference, or threatened coercive measures against the people of Rhode Island in their struggle to cast off the authority claimed over them under King Charles Second's Charter." This memorial was never presented, but a meeting of sympathy was held in Tammany Hall on the evening of April 27. Aaron Vanderpoel was chosen president for the occasion and A. W. Parmenter, of Rhode Island, presented the cause of the suffragists. Though not numerously attended this gathering prepared

the way for later meetings, when the inherent weakness of the Dorr movement was more clearly perceived.

The inauguration of Governor Dorr, May 3, 1842, was quickly followed by a hasty trip to Washington. Here Dorr met President Tyler, Mr. Webster, Secretary of State, and other leaders of the great political parties, but he failed to obtain sympathy for himself or his party sufficient to encourage him to proceed farther in the attempt to establish his government. Had Governor Dorr passed directly through New York on his return from Washington to Providence, the sequel of events in Rhode Island would have been materially altered. The testimony at hand seems to justify the conclusion that the Civil War, which broke out on May 17, would have been entirely averted. Governor Dorr had learned in Washington that he not only could hope for no help from the national executive, but must also expect to find the federal troops assisting the *de facto* government. He had, however, found the President anxious to avert civil strife, and ready to use his influence to obtain an act of indemnity for the entire People's government. It was evident, even to the enthusiastic suffrage leader, that he could not cope with the national government, even if his party, which he thought to be a numerical majority of the people of Rhode Island, might perhaps successfully resist the Charter government. On his arrival at the metropolis, therefore, he had determined, though very reluctantly, to leave the government *de facto* in peace, and to trust to the good offices of President Tyler to effect a compromise.

Governor Dorr was very cordially received on his arrival in New York. One of his fellow commissioners, Burrington Anthony, had returned at once to Rhode Island ready to carry what comfort he could to his friends at home. The third commissioner, Dutee J. Pearce, who has been called Dorr's right-hand man, remained with his leader. The two Rhode Islanders were invited to attend the Bowery Theatre, that evening, by certain prominent Tammany leaders. The fact of the acceptance of this invitation by the two distinguished visitors was duly announced in the daily press, and was even supposed to have increased the size of the audience. Most notable among the distinguished Tammany men escorting the governor was the Hon. E. F. Purdy, ex-president of the New York Board of Aldermen. This act of courtesy was but the beginning of the attentions which were bestowed upon the People's governor. The time spent in the metropolis was very short, being scarcely more than one day, but every one of the governor's waking hours was monopolized by his new friends.

Saturday forenoon Tammany Hall accorded a reception to the

governor and to Welcome B. Sayles, the speaker of the People's general assembly. Several hours were spent by these two suffrage leaders in talking over the condition of affairs in Rhode Island, and the counsel which Tammany Hall gave to the People's party is evident from the sequel which came less than four days later, the famous attack on the arsenal. When the time came for the governor to resume his journey to Providence he found that a crowd had collected in the park, desirous of obtaining a glimpse of the distinguished stranger. Immediately a procession was formed as an escort, under the head of William H. Cornell. Besides the five hundred people who marched in citizen's dress, the services of a band were obtained, and also a company of volunteer firemen. Governor Dorr and Speaker Sayles were accompanied in their barouche by ex-Alderman Purdy and Slamm, the editor.

The open sympathy thus shown the disheartened governor was accentuated by a communication which he received before leaving the city.

NEW YORK, May 13, 1842.

To Thomas W. Dorr, Governor of the State of Rhode Island;

Sir:—Several military companies of this city and vicinity having tendered their services to form a military escort to accompany you to Providence, we have the honor to apprize your Excellency of the fact. This distinction which they so much admire, we hope will meet with your cheerful acceptance.

With sentiments of the highest respect,
We are, very respectfully, yours
ALEXANDER WING, JR.,
Col. 13 Reg't. N. Y. A.
ABRAHAM J. CRASTO,
Lt. Col. 236 Reg't. N. Y. S. I.

In reply Governor Dorr wrote as follows:—

NEW YORK, May 14, 1842.

To Cols. Wing and Crasto;

Gentlemen:—I return to you my most sincere thanks for the offer contained in your letter of yesterday of an escort of several military companies to accompany me to the city of Providence. It is impossible to mistake the spirit in which this offer is made. It is an indication of the fraternal interest with which you regard the present struggle for their just rights of the people of Rhode Island, whom I have the honor to represent.

While I should not feel justified at the present moment in withdrawing you from your homes and business on the expedition contemplated, allow me to say that the time may not be far distant when I may be obliged to call upon you for your services in that cause to which you will

so promptly render the most efficient aid—the cause of American citizens contending for their sovereign right to make and maintain a republican constitution and opposed by the hired soldiers of the General Government.

In this unequal contest I invoke your aid and that of your associates in arms. We appeal from the Government to the people, and rely upon them in the last resort to defend our rights from every arbitrary aggression.

Be pleased to make my cordial acknowledgements to officers and privates, who have kindly united with you in the honor which has been proffered me; and accept the regards of your friend and fellow-citizen.

THOMAS W. DORR.

During the time that Governor Dorr had been absent from the state the People's government had practically ceased to exist. The executive officers had failed to obtain possession of any of the state papers and documents, and accordingly were unable to perform any executive functions. The legislature had adjourned after a single day's session and many of its members had publicly announced their resignations and their determination no longer to uphold the People's government. The judiciary did not exist, inasmuch as the legislature, during its short session, had failed to choose judges. Many of the prominent leaders of the Suffragists were under arrest and the favor of the federal authorities was evidently with the Charter government. A few men only stood firmly for Governor Dorr and the People's government. On his return to Providence, Burrington Anthony addressed an open-air meeting, which was held in front of the state house. The delegate presented a highly colored account of the results of his flying trip to Washington, and a series of resolutions was passed denouncing all compromises, pledging resistance to all efforts of the Charter government to arrest the leaders of the People's Party, and promising to protect and defend Governor Dorr to the end.

Such was the situation in Providence when Dorr arrived in the city at about ten o'clock Monday forenoon, May 16. A large crowd of enthusiasts and curiosity-seekers greeted him at the station, and escorted him to the residence of Mr. Anthony, which the governor wished to use as his headquarters. Before dismissing his escort Dorr made an address which showed the influence which his New York visit had had upon his plans. A rumor was current in the city that the governor had procured the aid of 500 men from abroad. Dorr denied the truth of this statement, but said that he had been promised the aid of 5000 men, and that he could have them at any time. He was sure of assistance enough from New York to paralyze any force which the United States might use

against the Suffrage party in Rhode Island. The governor then drew a sword and, holding it out, declared that it had belonged to an officer who had died in Florida, and had been presented to him by a brother of this officer; adding that that sword must never be dishonored while in his possession.

The Suffrage organ, the *Express*, that same day, published a proclamation signed "Thomas W. Dorr, Governor and Commander-in-Chief of the State of Rhode Island and Providence Plantations." In this official address he presented to the people of the state the facts concerning his trip to Washington. He stated that President Tyler had intimated

> an intention of resorting to the forces of the United States to check the movements of the people of this State in support of the republican constitution recently adopted. From a decision which conflicts with the right of sovereignty inherent in the people of this State, and with the principles which lie at the foundation of a democratic republic an appeal has been taken to the people of our country. They understand our cause; they sympathize in the injuries which have been inflicted upon us; they disapprove the course which the National Executive has adopted towards this State; and they assure us of their disposition and intention to interpose a barrier between the supporters of the People's constitution and the hired soldiery of the United States. As your representative, I have been everywhere received with the utmost kindness and cordiality. To the people of the City of New York, who have extended to us the hand of a generous fraternity, it is impossible to overrate our obligation at this most important crisis. It has become my duty to say, that, so soon as a soldier of the United States shall be set in motion, by whatever direction, to act against the people of this State, in aid of the Charter government, I shall call for that aid to oppose such force, which, I am fully authorized to say, will be immediately and most cheerfully tendered to the service of the people of Rhode Island from the City of New York and from other places. The contest will then become national, and our State the battle ground of American freedom. As a Rhode Island man, I regret that the constitutional question in this State cannot be adjusted among our own citizens. They who have been the first to ask assistance from abroad, can have no reason to complain of any consequences which may ensue.

No comment is necessary to show some of the results of the reception which Tammany Hall had tendered to the People's governor of Rhode Island.

While Governor Dorr was in New York he sent a letter to the governor of Connecticut, and, on the day after his return to Providence, he sent another similar letter to the governor of Maine. In these messages he requested the executives to call the attention of

their legislatures to the situation in Rhode Island. He asserted that the people of Rhode Island were "threatened with a military intervention unless they abandoned their constitution and surrendered all their rights." He declared that they were "unable to contend singly against the forces of the United States," and that they must invoke the aid of the other states "in this contest which involves the great principles of American Freedom, and the dearest privileges of a Sovereign People."

The Dorrites, as the comparatively few suffragists who followed the governor in this movement, might properly be called, had decided to assert their rights, in opposition not only to the Charter government of the state, but also to the President and the army of the United States. It is difficult to understand such a situation. No explanation of this decision is possible except that Governor Dorr had become convinced and had convinced his followers that the Democracy of the United States was anxious for the opportunity to rush to the aid of "the people" of Rhode Island. He must have believed either that he could frighten the President into holding back his promised assistance to the Charter government, or else that, if the national executive persisted in sending aid, the People's party would receive not merely the expressed sympathy but also the personal aid of a large portion of the citizens of the nation. Nothing less than the cordial welcome shown him during his short stay in New York and the personal promises of material assistance which he received from Tammany Hall could have led him to this mistaken position. That his head was turned by the hero-worship accorded him furnishes the simplest explanation of his folly.

After Governor Dorr's return to Rhode Island, his New York friends did not cease to keep up the agitation in that city. A call was issued for a meeting in the Park in front of the City Hall, which contained such signatures as those of Stephen Allen, John I. Morgan, Walter Bowne, A. Vanderpoel, William C. Bryant, Samuel J. Tilden, Elijah F. Purdy, Alexander Stewart and Levi D. Slamm. The meeting was largely attended, the various newspaper reports giving the number present as from three thousand to twelve thousand. Churchill C. Cambreleng was chosen president, and, among the long list of vice-presidents nominated by E. J. Purdy, were the names of most of the signers of the call, some of whom were not present. The meeting was addressed by Vanderpoel, Cambreleng, Ely Moore, and others, and the resolutions adopted expressed confidence in the Dorr party, and declared that President Tyler ought not to interfere in the affairs of Rhode Island in any way. A corresponding committee of twelve was appointed, to whom was left the

duty of continuing the movement in behalf of the People's party. This committee consisted of Vanderpoel, Purdy, Tilden, Moore, Slamm, and others, among whom the most ardent of Dorr's supporters were Slamm and Purdy.

Editor Slamm, in the New York *New Era*, immediately began to urge that armed assistance should be given to the Dorr party, in opposition to the national government. "All that is contemplated and all that has been asked," he said, "is to raise men enough to resist" the United States soldiers. An official bulletin appeared in the editorial columns of the *New Era*, entitled "Enrollment of Volunteers," the latter portion of which read as follows:

> And, whereas it is apprehended that the President of the United States, unobservant and forgetful of the duties imposed upon him, may, in a false construction of his prerogative, send mercenary soldiers of the Federal Government into the territory of our sister State of Rhode Island for purposes offensive against and dangerous to the liberties of the *people;* for these reasons, we, citizens of the United States, who hereinafter subscribe their names, appealing to Divine Providence for the purity of our motives, pledge 'our sacred honor' to hold ourselves in readiness, to be organized into companies of 'Patriot Volunteers,' under such officers as shall by ourselves be elected, and upon the requisition of Governor Dorr to march at the shortest notice to the aid of our Republican brethren of Rhode Island in the event that any *armed interference* be made by the Federal Government to the jeopardy of their *Inalienable* and *indefeasible* rights.

This official bulletin appeared in the *New Era* on May 20, and must therefore have been prepared for publication not later than the nineteenth. It was in the early morning of the eighteenth that Governor Dorr made the attack upon the arsenal at Providence, which was defended by the Charter authorities without the aid of the federal troops. The attacking force failed to obtain a peaceful surrender, and Governor Dorr ordered that one of his cannons should be fired. The audacity of this order can scarcely be conceived. In a dense fog, with less than two hundred men, with almost no ammunition for their two small cannon, the order is given to fire upon a building, built of stone, stocked with powder and balls, and fully guarded. If a gun had been fired, the cannons in the arsenal would have murderously ploughed down the unprotected attacking force. But the guns did not go off. They were flashed twice, but without result. The attack was a failure. No blood was shed, but the little band was compelled to withdraw from the field. Governor Dorr would have fired upon the arsenal, had he been able. If he had succeeded, he would very possibly have fallen at the first return fire. In any

case, doubtless, the sound of the first gun, on that foggy night, would have caused blind attack and counter-attack, and great loss of life might easily have followed. The New York friends of the People's governor are not responsible for the failure to begin a true civil war in Rhode Island.

Barely had the "Enrollment of Volunteers" editorial appeared in the *New Era* when the news of the farcical failure of the attack on the arsenal reached the metropolis. According to all human probability, the "war was ended." Even the enthusiastic New Yorkers now saw that further aid was useless. "Judging from their looks" said the New York *Commercial Advertiser*, "never did a set of people feel before quite so foolish and forlorn as did the leaders of the Park meeting of insurgent sympathizers on the receipt of the news from Rhode Island yesterday. They tried to whistle their courage up for a while, and even attempted to deceive themselves by the miserable lie that it was Governor King who had fled and not the puissant Dorr. But it was no go. The flag which had been kept flying for several days at Tammany Hall, in honor of Dorr and his proceedings, was struck, and all looked as though 'melancholy had marked them for her own.'"

One only of the leaders among the Dorr sympathizers continued to uphold the fortunes of his friend, even after he had fled from the state. Levi Slamm, whose paper had met with a natural death, is reported to have made a trip to Woonsocket, just over the border line from Massachusetts, and to have spent several hours urging further resistance. He was present also, with a small band, at the gathering at Acote's Hill, near the end of June, but hastened home when Dorr a second time became a fugitive. Thus ignominiously ended the great Tammany movement to set up a popular government in Rhode Island, in opposition to the *de facto* government and the federal authorities.

Arthur May Mowry.

DOCUMENTS

1. Orders of Mercer, Sullivan and Stirling, 1776.

By the kindness of Dr. N. P. Dandridge, of Cincinnati, the REVIEW is enabled to print extracts from a manuscript Revolutionary orderly-book in his possession. The volume is an ordinary thick blank-book, 8 inches by 6. About half of it was used as an orderly-book. The remainder was subsequently used for miscellaneous accounts, extending through the remainder of the century, and evidently kept first in New Jersey and afterward in Ohio. Internal evidence shows the book to have belonged originally to some one in Col. Samuel Miles's Pennsylvania Provincial Rifle Regiment. It begins with regimental orders of that body, extending in time from May 16, 1776, to August 13. Up to the latter part of July these alone are given, and the regiment may be traced from Marcus Hook (May 16), through Philadelphia (July 5), Allentown (July 7), Brunswick (July 9), Amboy (July 11–17), and Elizabeth (July 18, 19) to Amboy. Before the close of July brigade orders and general orders begin to be intermixed, and the regimental orders become less frequent. From August 12 to August 23, at which date the military portion of the book ends, one finds interspersed an interesting series of the general orders of Washington, preparatory to the campaign around New York and the battle of Long Island. But these have already been printed in Force's *Archives*. We select for present publication a series of orders intermediate in grade between these general orders of the commander-in-chief and the regimental orders of Col. Miles. We present, in chronological order, with unimportant omissions, first, the general orders of Gen. Hugh Mercer, commanding the Flying Camp, of which, during these dates (July 29–August 9) Miles's regiment was a part. By Washington's orders of August 12 the Pennsylvania Rifle Regiment was made a part of Stirling's brigade, and the latter a part of Sullivan's division. The remaining orders here printed are therefore divisional orders of Sullivan (August 13, 14) and brigade orders of Stirling (August 13–22). The documents are too early in date to have much direct value with reference to the battle of Long Island (Howe landed on August 22), and do not cast strong light on any serious fighting. But it is thought that they have their value as showing the state of the American army during these weeks, and the efforts made to prepare it for the approaching conflict.

The accounts which fill the portion of the book not used for military purposes indicate that it was, from 1784 on, the property of Jesse Hunt, who migrated from New Jersey to Cincinnati in 1788. From him it passed to his son-in-law Nathaniel Green Pendleton, son of Nathaniel Pendleton of New York, Hamilton's second in the duel with Burr. N. G. Pendleton was the grandfather of Dr. Dandridge. Since ten sergeants in Miles's regiment were reported missing after the battle of August 27, 1776 (*Penn. Archives*, 2d ser., X. 204–232), it is easy to see why the orders in the book cease with August 23. But as no sergeant or commissioned officer in the regiment was named Hunt, it is not known how the book came into the possession of a New Jersey family of that name.

Head Quarters Perth Amboy 29th July 1776.

Orders issued by the Honble Hugh Mercer Esqr Commanding Officer of the Flying Camp

Parole—York—Countersign

Whereas the Honble. Continental Congress have been pleased to Appoint Colo Saml Griffin to be Adjutant General to the Flying Camp, All Orders Issued by the Commanding Officer through him Either written or Verbal are to be Strictly Attended to and punctually Obey'd. Brigade Majors to Attend at the Adjutant Genls Office between the Hours of 10 in the fornoon and 1 in the Afternoon. All returns to be made to the Adjutant General.

The Commanding Officers of the Battalions are to meet at Genl Roberdeau's Quarters at 11 o Clock this forenoon to report to the Commander in Chief the State of the Provisions and whether they are Served out Regularly. The Quarter Master and Qr Mr Sergt to receive the provision from the Commissary and to distribute them. Two men from each full Company and one Man from Each Company not Exceeding forty in Number to be Appointed Camp colour men whose particular Duty it must be to Attend the Qr Mrs and Qr Mr Serjt to Sweep the Streets of their Respective Encampments, to fill up Old Necessary houses and make new ones, all Offall and whatever else may tend to Injure the Health of the Troops. The Quarter Masters to be Answerable to their Commanding Officers for a Strict observance of this Order. For the future the Adjutant Genl will send the Parole and Countersign under a Sealed Cover by the Orderly Adjutant at Head Quarters to the Majors of Brigade they at retreat Beating are to deliver the Parole and Countersign to the Field officer of the day who is to deliver them to the Officers of Guards and to the Adjuts who are to Communicate them to their Respective Guards. A Fatigue Party Consisting of one Serjeant and 12 Privates to Attend the Qr Mr General till further Orders.

Field Officer for to Morrow Colo Miles.

do to Visit the Posts at South Amboy—

Head Q.rs Perth Amboy July 30th 1776

Parole—Alexandria—Countersign

The Commanding Officer of Each Regiment to Send in an Exact List of all their Officers down to the Noncommissioned Officers with their Respective Ranks to the deputy Adjutant General tomorrow morning at 10 oClock. The Generall Desires and Orders a full and Compleat return of Each Regt to be made by the Colo or Commanding Officer to the Deputy Adjutant General Every Saturday morning between the Hours of 10 and 11 oClock at his office in Order that Copies may be transmitted Regularly Every Week to the Congress and Commander in Chief. No return will be received that is not Signed by the Colo or Commanding Officer of the Regiments or Corps Specified by the Return and it is Expected that the Commanding Officers of Regiments will not Receive any Returns from their Adjutants unless he at the Same time presents him with a Particular return of each Company of the Regiment Signed by their Respective Captains. Gasper Sizler, John Pendleton and Adam Hoffman of Capt Millars Company and Colo Mc Keans Battalion Penns.a Militia are to be employed as armourers and of Course Excused from all Duty until further Orders their Rations to be drawn by the director of the Armoury. The Colo or Commanding Officer of Each Regiment to be answerable to the Generall for any Neglect of Orders.

It has been repeatedly in Orders that no Officer or Soldier off Duty is to discharge his piece without leave from the Commanding Officer. The General Expresses his Surprise that those Orders are not attended to, it is the Duty of every Officer to See that all Orders are Obeyed. The Commanding Officers of Battalions will for the future be answerable for deficiency in the Ammunition Served out to the Troops under their Command, and it is Directed that Every Soldier who fires of his piece without Orders Shall be immidiately Confined and tryed by a Court Martial.

Head Quarters 31st of July 1776

Parole—Richmond—Countersign

Field Officer for to Morrow Colo Bayard.

A General Court Martial to Sit to Morrow morning at 11 oClock in Mr Hicks long room for the tryal of Jacob Babe and Jos Crimer both of the 4 Battalion Penna Militia for Desertion

President Colo Mc Kean—

Colo Brodhead		Colo Clymer	
Capt Brown, Long	1 B R	Lieut Moore, Finley	1 B R
Wade	2 B M.	White, Bright	2 B M
Perviance 4 B. M.		Mattock 5 B. M.	

Colo Miles, Colo Atlee, Colo Bayard Colo Brodhead Colo Clymer, Major Bird and Dr Shippen are requested to meet at Commissary Dunhams Stores At 11 oClock this Morning to inspect in to the State of

Provisions particularly the Flour and to Condemn Such as they may think unfitt for use.

The Majors of Brigade are to furnish the Col^{o}^{s} or Commanding Officers of Regiments with a Copy of the Continental Establishments of Rations for the Troops and the Commanding Officers of Regiments or Corps are to have them read at least once a Week to the Soldiers in Order that Such Articles of the Rations as Cannot be procured or Such as the Soldiers do not Choose to draw may be paid for in Money.

General Orders Head Quarters August 1st 1776

Parole—Burlington—Countersign Trenton

Such of the Pennsylvania Associators as did not draw their Rations from Philadelphia to Trenton are to make out their Acc^{ts} properly Certified by their Officers Aggreable to which they will receive the Money from Col^{o} Biddle Dep^{y} Q^{r} Master General

Field Officer for to Morrow Col^{o} Bayard

The General is Very Sorry he is under the Necessity of Reminding the Pennsylvania Associators of the terms on which they Agreed to Serve here Namely to remain on Duty untill a Sufficient number of troops had Joined to form the Flying Camp and While on Duty to Conform to the Regulations of the Continental troops. Such of the Noncommissioned Officers or Soldiers as Shall discover a Contrary disposition will Subject themselves to punishment and if any Shall presume to quit their Posts under pretence of the limitted time For their service being Expired they will be treated in every Respect as deserters from the Continental Army. Captain Smiths Company of Colonel Bayards Battalion of Pennsylvania Militia to Cross the river to South Amboy this Evening or tomorrow morning and to put themselves under the direction of Major Prior Commanding Officer of that Post All passes Signed by Col^{o} Biddle Dep^{y} Q^{r} Master General are to be deemed sufficient.

Head Quarters Amboy August the 2^{d} 1776.

Parole—Newark. Countersign

Field Officer for to Morrow L^{t} Col^{o} Brodhead A serjeant and 12 men to mount Guard to morrow for the security of the Craft. The 3 Companies for the flying camp Commanded by Capt. Arnold Capt. Jaynes and Capt. Douglass are to make their Returns to Major Bird Every afternoon at 4 oClock and to do duty as part of that Corps till further Orders.

S. Griffin D. A. G.

Head Quarters Amboy August the 3^{d} 1776

Parole—Lancaster—Countersign—Reading.

Field Officer for to Morrow Lieut. Col^{o} Perry.

The Colonel or Commanding Officer of Each Reg't is requested to fix upon some place Convenient to build a Oven for the use of his Regi^{t} any Assistance he may want will be Offered him by the Quarter Master Gen-

eral this Order to be Complied with as soon as possible. M^r^ Lodwick undertakes to Carry on the Baking Buisiness for the advantage of the Army he is to have what Assistance he thinks Necessary of Bakers and Labourers from the different Regi^ts^ A party for fatigue to be ready on monday morning of one Hundred men properly Offered.

Head Quarters Amboy 4^th^ of August 1776

Parole—Bergen—Countersign—Princetown

Field officer for to-morrow Lieu^t^ Col^o^ Dean

The General beholds with Astonishment the sloth and inactivity of some of the Adjutants in parading their men on the morning parade by which means they keep those Officers that are punctual in their duty one or two hours in the hot Sun, he once more desires and orders each Adjutant with his proportion of men to be on the parade precisely at 9 o'clock every morning on pain of incurring the Generals displeasure. At a Court Martial of which Colonel Bayard was President for the trial of Jacob Bebe, Joseph Criner, Fedrick Pobst, George Hoffner, and Philip Freese for desertion the Prisoners were found Guilty and Condemned to remain in the main Guard three days on Bread and Water and then to be reprimanded by the Colonels at the head of their Respective Reg^ts^

The General Approves of the Sentence but to Convince the Soldiers that he means to punish them as seldom as possible without Absolute Necessity he thinks proper to remit the first part of the Sentence and Orders the latter part to take place this afternoon at 6 oClock. The Colonels taking Care to Send proper Officers for the Prisoners.

A General Court Martial to sit to-morrow morning in Hicks's long room at 9 oClock.

COL. M^c^ KEAN, *President.*

Head Quarters Amboy August the 5^th^ 1776

Parole—Hancock—Countersign

Field Officer for to-Morrow Major Williams

As the Regiments are not yet furnished with Ovens the Commissary will Supply a pound of flour or a pound of good Biscuit for a few days in Lieu of a Ration of bread until the Ovens are built. In the meantime the Soft bread supplied to be equally distributed this Order to punctually Communicated to the respective Corps. Whereas the Reverend of new York and Philadelphia have appointed thursday Next to be Observed as a day of Humiliation fasting and praying to Almighty God on acc^t^ of the Oppression and distress of the good people of America—

The General requests and desires that all Officers and Soldiers under their Command (except those on duty) of that persuasion may pay Attention to the Said Appointment. The Captain of the main Guard to take Care that the Guard house is swept every morning before he is relieved.

Head Quarters Amboy August the 6th 1776

Parole—Bristol—Countersign—

Field Officer for to Morrow Major Bird

The General thinks it Necessary to inform the Pennsylvania Associators that there are a Great Number of Troops for the flying Camp now on their way to this place and as soon as a sufficient number to form the said camp Shall arrive the Associators shall immediately be dismissed and it is hoped no Associator will be so lost to all sense of honour and love for his Country as to think of returning home untill those Troops shall arrive.

Head Quarters August the 7th 1776

Parole—Kingsbridge—Countersign

Field Officer for to Morrow Major Pobst. the long Rolls to beat immediately after the Ravalie every morning when the Troops are to turn out to Exercise and the fatigue parties go to Work.

Mr Carpenter Waston is Appointed the Commissary General to Issue provision to the Troops. he will furnish the Army so as to give no Cause of Complaint that this buisiness may be Carried on with the Necessary Regularity, it is again Ordered that the Qr Master with the Qr Master Sergeant and Camp Colour men by returns Signed by Commanding Officers of his Corps is to draw the provisions and that no other Officer or Soldier is to Interfair so as to interrupt the Commissary in the Executing of his Office. It is recommended to the Commanding Officers of Regiments to draw Rations of flower and to Contract with bakers to have it baked up by the men of their own Rations Mr Ludowick from a desire to Serve the Army has Offd his Service and will undertake to bake for any Corps that may Choose to employ him.

for which purpose a Sufficient number of ovens will be filled up by saturday next. no commissioned officer or Soldier is to go one mile from Camp or Quarters without leave of Absence in writing from the Adjutant General.

Head Quarters Point pleasant August the 8th 1776

Parole— Countersign—

Field officer for to Morrow Major Britton

All the different Battalions are to be paraded at 5 oClock this Afternoon on their respective parades where the Commanding Officers of Each are to Attend and See that the mens arms and Accoutrements are in good Order and that Each man has his proper Quantity of Ammunition Any deficiencies to be immediately Supplyed.

General Orders August the 9th 1776—

Parole Malbourough—Countersign Chatham.

Field officer for tomorrow Major Herbert.

Colonel Miles's Regiment of Pensyr Riflemen to march to New York as

soon as the Can be got Ready All the Pensy.ª Associators to be paraded in the front of the Encampment of the City Militia precisely at 5 oClock this Evening.

Orders for Lord Sterlings Brigade August the 13, 1776.

The Adjutants of Each Battalion are to Extract from the Orderly books of the Army as such Orders [such orders as] Ought to be regarded and observed as standing Orders and to Cause them to be dispersed to all the Officers ; but as this cannot be done immediately the Colonels will assemble All the Officers for some hours a day and Cause such parts of the Orders as are before mentioned to be Read Alloud to them. The Adjutants are to attend at the Brigade Majors Office every day at 12 o'Clock for Orders.

Each Col.º is to Send into the Same Office on thursday Morning a Return of the dates and ranks of the Commissions of all the Officers also a return of all their Arms Accoutrements and Ammunition, also an Acc.t of time Each Corps has been paid. A Guard of 1 Serg.t 1 Cor.l and 12 Men from Colonell Glovers Reg.t to relieve the Guard now at Lord Sterlings Quarters at 8 oClock to morrow morning and to mount a like Guard there at the same place Every Day utill further Orders. The Rifle men of Col.º Smallwood's and one half of Col.º Miles's Corps are to go to Proper Ground tomorrow Morning by 6 oClock in Order to try and fix the sights of their Pieces the other half of the latter to do the like next Day. The Musketry of the whole Brigade to fire 3 Rounds of loose Powder and Ball at mark on thursday Morning 6 oClock. The Q.r Masters are to apply to the Adjutant General for an Order of loose Powder and Ball Sufficient for 3 Rounds of their Musketry And to attend at the Laboratory for it.

Major General Sullivans Orders August the 13.th 1776.

Five Hundred men to parade tomorrow morning at 7 oClock for fatigue. Those of Lord Sterlings Brigade to parade On their Brigade parades, those of General M.r Dougalls on theirs, Brigade Majors will meet today and fix the Detail. The Col.ºs of the Corps de reserve to see that their men have their Arms in Good Order and that Each man is provided with 24 Rounds of Ammunition and their Reg.ts are furnished with as much more as will make up 60 Rounds p man And that ammunition Waggons are kept with their Regiments in Order to transport the Ammunition to such places as the Reg.ts may be Called to. An Orderly Sergeant from Each Brigade to Attend at the General Quarters from day to day. Brigade Major Levinston will send a Copy of the Orders from head Quarters to General Sullivans tomorrow as also the Parole and Countersign Brigade Major Platt the Next Day and so on in rotation and Send the Adjutants of the day to receive Orders Issued by the Commander in Chief. The Orders will be Expected Each Day precisely at 1 oClock An Adjutant is to Attend at the Generals Q.rs Every Day.

Major Gen! Sullivans Orders August 14th 1776

800 men to be on fatigue tomorrow and to be on the Works by 9 oClock and work till 12 and in the Afternoon to begin at 2 and work till 7. As so much will depend upon having the work (now on hand) Compleated the Gen! flatters Himself that Officers and men who have allready sacrificed so much of their own Ease in defence of their Country will Chearfully Assist in fortyfying those Posts which must insure to us a compleat Victory and be the Means of Saving the Liberty of Our Country.

Brigade Orders 15th August 1776

The Adj! of the Day in Gen! Mc Dougalls Brigade is to take his turn (Every other day) with the Adj! of the day in Lord Sterlings Brigade to wait on Major Gen! Sullivan with the Gen! Orders Also to take Major Gen! Sullivans Orders and bring to Lord Sterlings Q!s He is also to furnish Gen! Sullivan with the Countersign Every other day. The Weekly returns of Each Reg! in Lord Sterlings Brigade to be brought to the Brigade Major's Office Every friday Evening at 6 oClock.

The Q! M! of Each Reg! is immediately to Apply for the proper proportion of Rum for the fatigue parties and to See distributed to the men on fatigue by 5 oClock this Afternoon.

Lord Sterlings Brigade Orders August 16th 1776

A Main Guard of the Brigade consisting of 1 Cap. 2 Subs. 2 Serg!s 2 Corp!s 1 drum and 50 Privates are to mount Every day at 8 oClock in the field on the North Side of Col° Attlees Reg! Each Corps is at the same time to mount a Guard of 1 Sub. 1 Serg! 1 Corp! 1 Drum and 24 Privates and at 6 oClock in the even! a Picquet Guard of 1 Cap. 2 Subs. 2 Serg!s 2 Corp!s 1 Drum and fifty men on the Regimental parade of each Reg! who are to lay on their Arms on their tents and to be ready to turn out at a Moments Warning The whole are to have their Arms and Ammunition in Compleat Order and to be ready to turn out at a moments warning. The whole are to have their Arms and Ammunition in Compleat Order and to be ready to turn out and form on the Shortest notice and at daylight Every morning each Reg! is to be under Arms on its own parade unless prevented by bad weather in which Case they are to remain in their Tents and take Especial Care to keep their Arms dry and in good Order. A Field Officer is at Night To Visit all the Guards of the Brigade. The Q! Guards of Each is to Supply Centinels to the works Nearest to them in Order to prevent any dammage being done to them and to protect the Tools and Arms which may be lodged in them. As Cleanliness must at all times greatly Contribute to the Health of the Troops but more Especially at this warm Season of the Year The Officers are requested in every instance to encourage the Practice of it among the men and in order the better to keep the Air of the Camp sweet and wholesome the following Regu!s are to be observed.

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. . . . The Commanding Officers of the Regts. are enjoined to See these Regulations Strictly Observed and immediately to Cause any Neglect or disobedience to these Orders to be punished by a Regimental Court Martial. They are also enjoined to use their best endeavours to encourage every Species of Cleanliness in the Officers and Soldiers in their Respective Corps and to recommend it to them all to avoid eating green unripe fruit of any kind as it [is] undoubtedly one of the Causes of the disorders now most prevalent in Camp.

Brigade After Orders [August 19].

Cap. Steels Company of Volunteers at present encampd with Colo. Lutz's Corps is Ordered to Join Major Hays Battalion. As the Adjts. of the Regts. must Necessarily be employed The Colos. or Commanding Officers of Each Corps will send a good Clerk to the Brigade Majors Office by 6 oClock every morning in Order to Copy off the Genl. and Brigade Orders for a Month past. These Clerks are to Continue on that duty untill noon wich Orders are to be read to the Officer in the Afternoon. Notwithstanding this Order the Adjts. of Each Corps are to Attend for Orders of the Day as usual.

Lord Sterlings Brigade Orders August the 22

The Commanding Officer of every Regt. will immediately cause the Ammunition to be examined and if any of it be damaged it is to be separated from the rest on [an] Acct. of it to be taken and ready to be exchanged with the Commissary of military Stores for what is good the arms are to be in as good order as possible ; the Regts. are all to be under Arms on the Grand parade it the Order comminicated to the Colo. precisely at 10 oClock this Morning where they will Receive farther orders.

2. Notes of Major William Pierce on the Federal Convention of 1787.

New materials relating to the Convention of 1787 will always, it may be presumed, be interesting to the readers of this REVIEW. The materials which follow are derived from the papers of Major William Pierce, a member from Georgia. Mr. C. E. Jackson, of Middletown, Conn., a grandson of Pierce's widow by her second marriage, kindly offered to the REVIEW a manuscript containing the pieces numbered II., III. and IV. in the following series. A passage in Madison's *Writings*, to which the attention of the managing editor was called by Professor Edward G. Bourne, seemed to refer to these notes. Mr. J. K. Tefft, of Savannah, the noted collector of autographs, wrote to Madison in 1830, asking for his autograph and those of other distinguished Americans (*Calendar of the Correspondence of James Madison*, State Department, p. 670). Complying with his request, Madison in his answer asks Mr. Tefft to send him

certain numbers of the *Savannah Georgian* (id., 113). "In the year 1828," says the extract from this letter given in Madison's *Writings*, "I received from J. V. Bevan[1] sundry numbers of the *Savannah Georgian*, containing continuations of the notes of Major Pierce on the Federal Convention of 1787" (*Writings*, IV. 139). The year 1828 is missing from the file of the *Savannah Georgian* preserved in the Library of Congress, and also from that possessed by the University of Georgia, but in the library of the Georgia Historical Society at Savannah there is a complete file, which William Harden, Esq., librarian of the society, has kindly searched for us. It appears that Major Pierce's notes (II. and IV. below) were printed in the *Savannah Georgian* for April 19, 21, 22, 23, 24, 25, 26 and 28, 1828. But no apology is presented for reprinting them, for it will be seen that they are practically inaccessible. Madison's phrase, however, seemed to indicate the existence of an earlier account of the Convention by Major Pierce. After some search, this was located, by means of a statement in the late Col. C. C. Jones's *Biographical Sketches of the Delegates from Georgia to the Continental Congress*, p. 156. On September 28, 1787, Pierce wrote from New York to St. George Tucker, of Virginia, a letter, in which he gave his general impressions of the work of the convention. The relevant portions of this were printed in the *Georgia Gazette*, of March 20, 1788. By the kindness of Mr. Harden, a copy of this matter is presented herewith, as No. I. in the ensuing series. The same remark may be made as to previous printing which was made in the case of the other parts; for, so far as the managing editor has discovered, no other file of the *Gazette* for 1788 is preserved in any public repository, and the matter is therefore practically inedited.

William Pierce was born, in Virginia according to family tradition, in Georgia according to certain sources used by Col. Jones, about 1740. His name, uniformly given simply as William in contemporary sources, is given as William Leigh by his son, in a footnote to p. 113 of his poem *The Year* (New York, 1813). He engaged in the Revolutionary War as of Virginia. November 30, 1776, he was commissioned a captain in the First Continental Artillery (Heitman, p. 329). He became an aide to Gen. Greene, with whom he was ever after on terms of friendly intimacy. After the battle of Eutaw Springs he bore the general's despatches, with the news of the victory, to Congress at Philadelphia. Congress (October 29, 1781) resolved "that a sword be presented to Captain Pierce." This sword, suitably inscribed, is now possessed by the descendants of Mrs. Pierce. At the close of the war Pierce left the

[1] Joseph V. Bevan was one of the proprietors of the *Georgian*.

army with the rank of major, and went into business in Savannah, as the head of the house of William Pierce and Company (Jones, 155; MS. letter of Gen. Greene). About the same time (id.) he was married to Miss Charlotte Fenwick. A letter of February 10, 1786, in Mr. Jackson's MS. volume, shows him at Augusta, attending the session of the general assembly of Georgia, of which he was a member from Chatham county (Jones). In that same year he was elected to the Continental Congress for the term extending from the first Monday of November, 1786, to the corresponding day of 1787 (*Jour. Cong.*, IV. 719). Sailing in December (*Correspondence of Samuel B. Webb*, III. 70), he took his seat on January 17th, 1787, and attended the sessions faithfully till May 24 (*Journals*, IV. 719–749; Webb, III. 77). Meanwhile the Georgia legislature had on February 10 elected him a member of the proposed Federal Convention, and on April 17 he had been commissioned as a delegate (*Documentary History of the Constitution*, State Department, I. 43, 46). He took his seat on May 31, six days after the opening (*Doc. Hist.*, I. 56; *Madison Papers*, 753). He is recorded as speaking but three times. On June 6 he spoke in advocacy of the election of the first branch of the federal legislature by the people, of the second branch by the states (Madison, 807, and *post*). On June 12 he spoke against a seven-years' term for the second branch, preferring a term of three years (Madison, 851; Yates in Elliot, 1836, I. 408). On June 29 he spoke in behalf of the strengthening of the general government, as over against the state governments (Yates, in Elliot, I. 464). Shortly after this he left the Convention, and attended its sessions no further. From July 4 to August 1 he attended Congress (*Journals*, IV. 750–765). A letter of Hamilton (*Works*, I. 437) shows the latter adjusting a difficulty and preventing a duel between Pierce and a Mr. Auldjo, and another, New York, July 26, 1787 (id., 439), says: "He informs me that he is shortly to set out on a jaunt up the North River." The reasons for his absenting himself do not appear. From August 27 to October 1 he was again in attendance upon Congress at New York (*Journals*, IV. 773–783; memoranda in MS. volume). On October 3 he sailed from New York with his family, and arrived at Savannah on October 10. "I brought with me a dispatch from Congress, containing the proceedings of the federal convention with their resolution, to Governor Mathews of this State" (ibid.). On the 26th the legislature of Georgia provided for the state convention, which on January 2, 1788, ratified the Constitution (*Doc. Hist.*, II. 83). On July 4, 1788, he delivered an oration at Savannah before the Georgia Cincinnati, which was printed there that same year, and in

which he expresses his satisfaction with the work of the Philadelphia Convention. Two copies of this pamphlet, one of them General Washington's presentation copy, are in the library of the Boston Athenæum. Before the year was over Major Pierce had failed in business (Jones), and in December he wrote to Madison expressing a desire to be appointed collector of the port of Savannah (*Calendar*, p. 573); but he was not appointed to any federal office. On July 4, 1789, he seems to have delivered another oration before the Georgia Cincinnati, which was printed; and he was elected their vice-president. He died December 10 of that year (Jones, p. 157). A son, William, born before 1786 (MS. volume), probably died in infancy. A posthumous son, William Leigh, born June 30, 1790, wrote the volume of verse already mentioned, *The Year*, a Federalist review of the events of the year 1812, in the style of *Marmion*. Its notes give an exceptionally full account of the famous Baltimore mob of that year. At the time of its publication the younger Pierce was living in Canandaigua, New York, and he is said to have died in that neighborhood in 1815.

Major Pierce was a man of good education and considerable intelligence, and of sufficient penetration to give value to his estimates of his associates in the Convention. It will be seen that the absence of his signature to the Constitution is not due, as has sometimes been said, to disapproval of that instrument. It is perhaps unfortunate that he was not longer present in the Convention, though it must be said that his notes of its debates add little to the information we have already derived from Madison, Yates and King.

Of the four following pieces, the first is derived from the *Georgia Gazette* of Thursday, March 20, 1788. The other three are from the MS. volume already mentioned, a small book, 6½ by 4 inches, which at some time subsequent to the writing has been bound in a red morocco binding, lettered "Pierce's Reliques." A memorandum pasted within shows the book to have been borrowed by Washington Irving, who derived from it his version (*Life of Washington*, IV. 495, 496) of the anecdote here printed as No. III.

I.

VIRGINIA.—*Extract of a letter from the Hon. William Pierce, Esq., to St. George Tucker, Esq., dated New York, Sept. 28, 1787.*

You ask me for such information as I can, with propriety, give you, respecting the proceedings of the Convention: In my letter from Philadelphia, in July last, I informed you that everything was covered with the veil of secrecy. It is now taken off, and the great work is presented to the public for their consideration. I enclose you a copy of it, with the letter which accompanies the Constitution.

You will probably be surprised at not finding my name affixed to it; and will, no doubt, be desirous of having a reason for it. Know then, Sir, that I was absent in New York on a piece of business so necessary that it became unavoidable. I approve of its principles, and would have signed it with all my heart, had I been present. To say, however, that I consider it as perfect, would be to make an acknowledgment immediately opposed to my judgment. Perhaps it is the only one that will suit our present situation. The wisdom of the Convention was equal to something greater; but a variety of local circumstances, the inequality of states, and the dissonant interests of the different parts of the Union, made it impossible to give it any other shape or form.

The great object of this new government is to consolidate the Union, and to give us the appearance and power of a nation. The inconvenience of the different states meeting on the footing of compleat equality, and as so many sovereign powers confederated, has been severely felt by the Union at large; and it is to remedy this evil that something like a national institution has become necessary. The condition of America demands a change; we must sooner or later be convulsed if we do not have some other government than the one under which we at present live. The old Federal Constitution is like a ship bearing under the weight of a tempest; it is trembling, and just on the point of sinking. If we have not another bark to take us up we shall all go down together. There are periods in the existence of a political society that require prompt and decisive measures; I mean that point of time between a people's running into anarchy and an anxious state of the public mind to be rescued from its approaching mischiefs by the intervention of some good and efficient government. That is precisely the situation in which we seemed to be placed. A question then arises, shall we have this government, or shall we run into confusion? It is with the people to decide the alternative.

I am well aware that objections will be made to this new government when examined in the different states; some will oppose it from pride, some from self-interest, some from ignorance, but the greater number will be of that class who will oppose it from a dread of its swallowing up the individuality of the states. Local circumstances will weigh against the general interest, and no respect will be paid to all the parts aggregated which compose the Confederacy. Good as well as bad men will probably unite their interest to oppose it, and some small convulsions may possibly happen in some of the states before it is adopted, but I am certain it is the ark that is to save us. I therefore hope and trust it will be accepted. It is a difficult point to concentrate thirteen different interests so as to give general and compleat satisfaction. But as individuals in society (to use an old hackneyed and well known principle) give up a part of their national rights to secure the rest, so the different states should render a portion of their interests to secure the good of the whole. Was this question proposed to each of the states separately, "What kind of government is best calculated for the people of the United States?" there would

be as many different opinions as there are different interests. It would be like the decisions of the seven wise men of Greece, who were called on, at the Court of Periander, to give their sentiments on the nature of a perfect commonwealth—they all judged differently, but they all judged right, in the view each man had of it.

Many objections have been already started to the Constitution because it was not founded on a Bill of Rights; but I ask how such a thing could have been effected; I believe it would have been difficult in the extreme to have brought the different states to agree in what probably would have been proposed as the very first principle, and that is, "that all men are born equally free and independent." Would a Virginian have accepted it in this form? Would he not have modified some of the expressions in such a manner as to have injured *the strong sense of them*, if not to have buried them altogether in *ambiguity and uncertainty*.

In my judgment, when there are restraints on power, to prevent its invading the positive rights of a people, there is no necessity for any such thing as a Bill of Rights. I conceive civil liberty is sufficiently guarded when personal security, personal liberty, and private property, are made the peculiar care of government. Now the defined powers of each department of the government, and the restraints that naturally follow, will be sufficient to prevent the invasion of either of those rights. Where then can be the necessity for a Bill of Rights? It is with diffidence I start this question; I confess I cannot help doubting the negative quality which it conveys, as some of the greatest men I ever knew have objected to the government for no other reason but because it was not *buttoned*[1] *with a Bill of Rights;* men whose experience and wisdom are sufficient to give authority and support to almost any opinion they may choose to advance.

I set this down as a truth founded in nature, that a nation habituated to freedom will never remain quiet under an invasion of its liberties. The English history presents us with a proof of this. At the Conquest that nation lost their freedom, but they never were easy or quiet until the true balance between liberty and prerogative was established in the reign of Charles the second. The absolute rights of Englishmen are founded in nature and reason, and are coeval with the English Constitution itself. They were always understood and insisted on by them as well without as with a Bill of Rights. This same spirit was breathed into the Americans, and they still retain it, nor will they, I flatter myself, ever resign it to any power, however plausible it may seem. The Bill of Rights was not introduced into England until the Revolution of 1688, (upwards of 600 years after the Conquest) when the Lords and Commons presented it to the Prince and Princess of Orange. And afterwards the same rights were asserted in the Act of Settlement at the commencement of the present century, when the crown was limited to the House of Hanover. It was deemed necessary to introduce such an instrument to satisfy the public mind in England, not as a bottom to the Constitution, but as a prop to it; and hereafter, if the same necessity should exist in America, it may be

[1] So the newspaper; perhaps Pierce wrote "bottomed on."

done by an act of the Legislature here, so that the Constitution not being founded on a Bill of Rights I conceive will not deprive it at any future time of being propt by one, should it become necessary.

A defect is found by some people in this new Constitution, because it has not provided, except in criminal cases, for Trial by Jury. I ask if the trial by jury in civil cases is really and substantially of any security to the liberties of a people. In my idea the opinion of its utility is founded more in prejudice than in reason. I cannot but think that an able Judge is better qualified to decide between man and man than any twelve men possibly can be. The trial by jury appears to me to have been introducd originally to soften some of the rigors of the feudal system, as in all the countries where that strange policy prevailed, they had, according to Blackstone, "a tribunal composed of twelve good men, true *boni homines*, usually the vassals or tenants of the Lord, being the equals or peers of the parties litigant." This style of trial was evidently meant to give the tenants a check upon the enormous power and influence of their respective Lords; and, considered in that point of view, it may be said to be a wise scheme of juridical polity; but applied to us in America, where every man stands upon a footing of independence, and where there is not, and I trust never will be, such an odious inequality between Lord and tenant as marked the times of a Regner or an Egbert, is useless, and I think altogether unnecessary; and, if I was not in the habit of respecting some of the *prejudices* of very sensible men, I should declare it ridiculous. An Englishman to be sure will talk of it in raptures; it is a virtue in him to do so, because it is insisted on in Magna Charta (that favorite instrument of English liberty) as the great bulwark of the nation's happiness. But we in America never were in a situation to feel the same benefits from it that the English nation have. We never had anything like the Norman trial by battle, nor great Lords presiding at the heads of numerous tribes of tenants whose influence and power we wished to set bounds to.

As to trial by jury in criminal cases, it is right, it is just, perhaps it is indispensable,—the life of a citizen ought not to depend on the fiat of a single person. Prejudice, resentment, and partiality, are among the weaknesses of human nature, and are apt to pervert the judgment of the greatest and best of men. The solemnity of the trial by jury is suited to the nature of criminal cases, because, before a man is brought to answer the indictment, the fact or truth of every accusation is inquired into by the Grand Jury, composed of his fellow citizens, and the same truth or fact afterwards (should the Grand Jury find the accusation well founded) is to be confirmed by the unanimous suffrage of twelve good men, "superior to all suspicion." I do not think there can be a greater guard to the liberties of a people than such a mode of trial on the affairs of life and death. But here let it rest.

The most solid objection I think that can be made to any part of the new government is the power which is given to the Executive Department; it appears rather too highly mounted to preserve exactly the equilibrium. The authority which the President holds is as great as that possessed by the King of England. Fleets and armies must support him

in it. I confess however that I am at a loss to know whether any government can have sufficient energy to effect its own ends without the aid of a military power. Some of the greatest men differ in opinion about this point. I will not pretend to decide it.

It requires very little wisdom or forethought to see into the consequences of the government when put compleatly in motion. You will observe that one branch of the Legislature is to come from the People, the other from the several State Legislatures; one is to sympathize with the people at large, the other with the sovereignty of the states, but the suffrages of the two are unequal; the House of Commons will have sixty-five votes, while the Senate has only twenty-six. Some of the states will have eight and ten Members in the Lower House, some only two or three, but all will have an equal number in the Senate. The Judicial Power is to extend "to controversies between two or more states, between a state and citizens of another state, between citizens of different states, and between a state and the citizens thereof, and foreign states, citizens, or subjects." And the President is to be Commander in Chief of the Fleets and Armies of the United States, and the Militia of the states when called into the service of the Union. All this taken collectively forms such a power independent of the states as must eventually draw from them all their remaining sovereignty. Whether such a thing is desirable or not let every man appeal to his own judgment to determine. It is clearly my opinion that we had better be consolidated than to remain any longer a confederated republic.

I would say something about the Article of Commerce, but it involves in it so much inquiry and calculation that I will reserve it for another letter. I know the most popular opposition in Virginia will be founded on this head, but I think it can be proven beyond a doubt that a uniform regulation of its principles will secure lasting and equal advantages to every part of the empire. If this right had at first been lodged in the hands of Congress we should not at this day be in the condition we are.

II. LOOSE SKETCHES AND NOTES TAKEN IN THE CONVENTION. MAY, 1787.

On the 30th May Gov^r^ Randolph brought forward the principles of a federal Government.[1] The idea suggested was, a national Government to consist of three branches. Agreed.[2] The Legislature to consist of two branches.

Resolved that the first branch of the Legislature ought to be elected by the People of the several States.[3]

[1] Governor Randolph brought forward the principles suggested by the Virginia delegation, on May 29; *Documentary History*, I. 55, *Madison Papers* (Gilpin) 728–735; Yates, in Elliot, 1836, I. 390, 391. Major Pierce took his seat on May 31; *Doc. Hist.*, I. 56.

[2] May 30. *Doc. Hist.*, I. 200; *Madison Papers*, 749; Yates in Elliot, I. 392.

[3] May 31. *Doc. Hist.*, I. 201, 202; Elliot, I. 392, 393. The debate which here follows is reported in the *Madison Papers*, 753–759, in which however the remarks of Strong, the first and second speeches of King, the third and fourth of Butler, and the final remarks of Mason, are omitted. The final remarks of Sherman are here given at greater length.

A debate arose on this point.

Mr Sherman thought the State Legislatures were better qualified to elect the Members than the people were.

Mr Gerry was of the same opinion.

Mr Mason was of the opinion that the appointment of the Legislature coming from the people would make the representation actual, but if it came from the State Legislatures it will be only virtual.

Mr Wilson thought that one branch of the Legislature ought to be drawn from the people, because on the great foundation of the people all Government ought to rest. He would wish to see the new Constitution established on a broad basis, and rise like a pyramid to a respectable point.

Mr Maddison was of the opinion that the appointment of the Members to the first branch of the national Legislature ought to be made by the people for two reasons,—one was that it would inspire confidence, and the other that it would induce the Government to sympathize with the people.

Mr Gerry was of opinion that the representation would not be equally good if the people chose them, as if the appointment was made by the State Legislatures. He also touched on the principles of liberal support, and reprobated that idea of œconomy in the different States that has been so injuriously practised.

Mr Strong would agree to the principle, provided it would undergo a certain modification, but pointed out nothing.

Mr Butler was opposed to the appointment by the people, because the State Legislatures he thought better calculated to make choice of such Members as would best answer the purpose.

Mr Spaight thought it necessary previous to the decision on this point that the mode of appointing the Senate should be pointed out. He therefore moved that the second branch of the Legislature should be appointed by the State Legislatures.

Mr King observed that the Question called for was premature, and out of order,—that unless we go on regularly from one principle to the other we shall draw out our proceedings to an endless length.

Mr Butler called on Govr Randolph to point out the number of Men necessary for the Senate, for on a knowledge of that will depend his opinion of the style and manner of appointing the first branch.

Mr Randolph said he could not then point out the exact number of Members for the Senate, but he would observe that they ought to be less than the House of Commons. He was for offering such a check as to keep up the balance, and to restrain, if possible, the fury of democracy. He thought it would be impossible for the State Legislatures to appoint the Senators, because it would not produce the check intended. The first branch of the fœderal Legislature should have the appointment of the Senators, and then the check would be compleat.

Butler said that until the number of the Senate could be known it would be impossible for him to give a vote on it.

Mr Wilson was of opinion that the appointment of the 2d branch ought to be made by the people provided the mode of election is as he would have it, and that is to divide the union into districts from which the Senators should be chosen. He hopes that a fœderal Government may be established that will insure freedom and yet be vigorous.

Mr Maddison thinks the mode pointed out in the original propositions the best.

Mr Butler moved to have the proposition relating to the first branch postponed, in order to take up another,—which was that the second branch of the Legislature consist of blank.

Mr King objected to the postponement for the reasons which he had offered before.

Mr Sherman was of opinion that if the Senate was to be appointed by the first branch and out of that Body that it would make them too dependent, and thereby destroy the end for which the Senate ought to be appointed.

Mr Mason was of opinion that it would be highly improper to draw the Senate out of the first branch ; that it would occasion vacancies which would cost much time, trouble, and expence to have filled up,—besides which it would make the Members too dependent on the first branch.

Mr Chr Pinckney said he meant to propose to divide the Continent into four Divisions, out of which a certain number of persons shd be nominated, and out of that nomination to appoint a Senate.

I was myself of opinion that it would be right first to know how the Senate should be appointed, because it would determine many Gentlemen how to vote for the choice of Members for the first branch,—it appeared clear to me that unless we established a Government that should carry at least some of its principles into the mass of the people, we might as well depend upon the present confederation. If the influence of the States is not lost in some part of the new Government we never shall have any thing like a national institution. But in my opinion it will be right to shew the sovereignty of the State in one branch of the Legislature, and that should be in the Senate.

On the proposition in the words following—"to legislate in all cases where the different States shall prove incompetent."[1]

Mr Sherman was of opinion that it would be too indifinitely expressed,—and yet it would be hard to define all the powers by detail. It appeared to him that it would be improper for the national Legislature to negative all the Laws that were connected with the States themselves.

Mr Maddison said it was necessary to adopt some general principles on which we should act,—that we were wandering from one thing to another without seeming to be settled in any one principle.

Mr Wythe observed that it would be right to establish general principles before we go into detail, or very shortly Gentlemen would find

[1] *Doc. Hist.*, I. 202. The debate on this question is presented in the *Madison Papers*, 760–761, but none of the remarks here reported are to be found there, save the second speech of Madison.

themselves in confusion, and would be obliged to have recurrence to the point from whence they sat out.

Mr King was of opinion that the principles ought first to be established before we proceed to the framing of the Act. He apprehends that the principles only go so far as to embrace all the power that is given up by the people to the Legislature, and to the fœderal Government, but no farther.

Mr Randolph was of opinion that it would be impossible to define the powers and the length to which the federal Legislature ought to extend just at this time.

Mr Wilson observed that it would be impossible to enumerate the powers which the federal Legislature ought to have.

Mr Maddison said he had brought with him a strong prepossession for the defining of the limits and powers of the federal Legislature, but he brought with him some doubts about the practicability of doing it :— at present he was convinced it could not be done.

On the Executive Power.[1]

Mr Wilson said the great qualities in the several parts of the Executive are vigor and dispatch. Making peace and war are generally determined by Writers on the Laws of Nations to be legislative powers.

Mr Maddison was of opinion that an Executive formed of one Man would answer the purpose when aided by a Council, who should have the right to advise and record their proceedings, but not to control his authority.

Mr Gerry was of opinion that a Council ought to be the medium through which the feelings of the people ought to be communicated to the Executive.

Mr Randolph advanced a variety of arguments opposed to a unity of the Executive, and doubted whether even a Council would be sufficient to check the improper views of an ambitious Man. A unity of the Executive he observed would savor too much of a monarchy.

Mr Wilson said that in his opinion so far from a unity of the Executive tending to progress towards a monarchy it would be the circumstance to prevent it. A plurality in the Executive of Government would probably produce a tyranny as bad as the thirty Tyrants of Athens, or as the Decemvirs of Rome.

A confederated republic joins the happiest kind of Government with the most certain security to liberty.

(a consideration.)

Every Government has certain moral and physical qualities engrafted in their very nature,—one operates on the sentiments of men, the other on their fears.

[1] June 1. *Doc. Hist.*, I. 203, 204. An ampler report of this debate is given in the *Madison Papers*, 762–764, where however the first remarks of Madison here given and those of Dickinson are omitted; but they are summarized in King's notes, *Life and Correspondence*, I. 588, 589.

Mr Dickinson was of opinion that the powers of the Executive ought to be defined before we say in whom the power shall vest.

Mr Bedford[1] said he was for appointing the Executive Officer for three years, and that he should be eligible for nine years only.

Mr Maddison observed that to prevent a Man from holding an Office longer than he ought, he may for mal-practice be impeached and removed ;—he is not for any ineligibility.

Mr Charles Pinckney was of opinion[2] that the election of the Executive ought to be by the national Legislature, that then respect will be paid to that character best qualified to fill the Executive department of Government.

Mr Wilson proposed that the U. States should be divided into districts, each of which should elect a certain number of persons, who should have the appointment of the Executive.

Mr Gerry observed that if the appointment of the Executive should be made by the national Legislature, it would be done in such a way as to prevent intrigue. If the States are divided into districts, there will be too much inconvenience in nominating the Electors.

Mr Wm'son[3] observed that if the Electors were to chuse the Executive it would be attended with considerable expence and trouble ; whereas the appointment made by the Legislature would be easy, and in his opinion, the least liable to objection.

On the subject of salary to the Executive Dr Franklin arose and produced a written Speech.[4] It was, on account of his age, read by Mr Wilson, in which was advanced an opinion that no salaries should be allowed the public Officers, but that their necessary expences should be defrayed. This would make Men, he said, more desirous of obtaining the Esteem of their Country-men,—than avaricious or eager, in the pursuit of wealth.

Mr Dickinson moved[5] that the Executive should be removed at the request of a majority of the State Legislatures.

No Government can produce such good consequences as a limitted monarchy, especially such as the English Constitution.

The application of the several Legislatures brings with it no force to the national Legislature.

Mr Maddison said it was far from being his wish that every executive Officer should remain in Office, without being amenable to some Body for his conduct.

[1] The question was now on the duration of the term of the executive. *Doc. Hist.*, I. 204 ; *Madison Papers*, 766, 767, with omission of the remarks of Madison here reported.

[2] June 2. The question was now on the mode of appointing the executive ; *Doc. Hist.*, I. 205. The following debate, except the remarks of Charles Pinckney, is to be found in the *Madison Papers*, 768–770.

[3] Hugh Williamson of North Carolina.

[4] *Doc. Hist.*, I. 206. The text of Dr. Franklin's speech is given in the *Madison Papers*, 771–775.

[5] *Doc. Hist.*, I. 206, 207. Excepting Madison's own remarks, the ensuing debate reported in the *Madison Papers*, 776–778.

Mr Randolph[1] was for appointing three Persons, from three districts of the Union, to compose the Executive. A single Person may be considered the fœtus of a Monarchy.

Mr Butler was of opinion that a unity of the Executive would be necessary in order to promote dispatch;—that a plurality of Persons would never do. When he was in Holland the States general were obliged to give up their power to a French Man to direct their military operations.

Mr Wilson[2] said that all the Constitutions of America from New Hampshire to Georgia have their Executive in a single Person. A single Person will produce vigor and activity. Suppose the Executive to be in the hands of a number they will probably be divided in opinion.

It was proposed that the Judicial should be joined with the Executive to revise the Laws.[3]

Mr King was of opinion that the Judicial ought not to join in the negative of a Law, because the Judges will have the expounding of those Laws when they come before them; and they will no doubt stop the operation of such as shall appear repugnant to the constitution.

Dr Franklin thinks it would be improper to put it in the power of any Man to negative a Law passed by the Legislature because it would give him the controul of the Legislature; and mentioned the influence of the British King, and the influence which a Governor of Pennsylvania once had in arresting (for the consideration of an encrease of salary) the power out of the hands of the Legislature.

Mr Maddison was of opinion[4] that no Man would be so daring as to place a veto on a Law that that had passed with the assent of the Legislature.

Mr Butler observed that power was always encreasing on the part of the Executive. When he voted for a single Person to hold the Executive power he did it that Government be expeditiously executed, and not that it should be clogged.

Mr Bedford was of opinion that no check was necessary on a Legislature composed as the national Legislature would be, with two branches, —an upper and a lower House.

[1] The question was now on the motion that the executive consist of a single person. *Doc. Hist.*, I. 207, 208; *Madison Papers*, 779–782. [2] June 4.

[3] *Doc. Hist.*, I. 208, 209. The notes which follow relate to the debate on this proposition and on that for a veto by the executive; *Madison Papers*, 784–789, where, however, King's interesting remark about the judiciary holding statutes void does not appear.

[4] It appears that this passage was animadverted upon when these notes were printed in the *Savannah Georgian* in 1828. In Madison's letter to Tefft, cited above, p. 310, speaking of the numbers of that newspaper which he had once received, he says, "They were probably sent on account of a marginal suggestion of inconsistency between language held by me in the Convention with regard to the Executive veto, and the use made of the power by myself, when in the Executive Administration. The inconsistency is done away by the distinction, not adverted to, between an *absolute* veto, to which the language was applied, and the *qualified* veto which was exercised" (*Writings*, IV. 139). The marginal note in the newspaper reads: "This same Mr. Madison did so when President. Eds. Geo."

Mr Mason was of opinion that it would be so dangerous for the Executive in a single Person to negative a Law that the People will not accept of it. He asked if Gentlemen had ever reflected on that awful period of time between the passing and final adoption of this constitution; —what alarm might possibly take place in the public mind.

Mr Maddison in a very able and ingenious Speech,[1] ran through the whole Scheme of the Government,—pointed out all the beauties and defects of ancient Republics; compared their situation with ours wherever it appeared to bear any anology, and proved that the only way to make a Government answer all the end of its institution was to collect the wisdom of its several parts in aid of each other whenever it was necessary. Hence the propriety of incorporating the Judicial with the Executive in the revision of the Laws. He was of opinion that by joining the Judges with the Supreme Executive Magistrate would be strictly proper, and would by no means interfere with that indepence so much to be approved and distinguished in the several departments.

Mr Dickinson could not agree with Gentlemen in blending the national Judicial with the Executive, because the one is the expounder, and the other the Executor of the Laws.

Mr Rutledge was of opinion that it would be right to make the adjudications of the State Judges, appealable to the national Judicial.

Mr Maddison was for appointing the Judges by the Senate.

Mr Hamilton suggested the idea of the Executive's appointing or nominating the Judges to the Senate which should have the right of rejecting or approving.

Mr Butler was of opinion[2] that the alteration of the confederation ought not to be confirmed by the different Legislatures because they have sworne to support the Government under which they act, and therefore that Deputies should be chosen by the People for the purpose of ratifying it.

Mr King thought that the Convention would be under the necessity of referring the amendments to the different Legislatures, because one of the Articles of the confederation expressly make it necessary.

As the word perpetual in the Articles of confederation gave occasion for several Members to insist upon the main principles of the confederacy, i e that the several States should meet in the general Council on a footing of compleat equality each claiming the right of sovereignty, Mr

[1] June 6. If Madison's report is right, it would appear that Pierce has here fused two speeches made by Madison on that day, one on the election of the first branch by the legislatures, the other on the association of the judiciary in the revisal of the laws, a question postponed from June 4. *Doc. Hist.*, I. 214; *Madison Papers*, 804–806, 809–811. Dickinson's remarks, which here follow, relate to this latter question; King, I. 592. But those of Rutledge and Madison which succeed were, according to the *Madison Papers*, 792, 793, made on June 5 in the debate on the election of the judiciary. Hamilton's remarks are not given there.

[2] The following remarks were apparently made in the debate of June 5 on the fifteenth Virginia resolution, that relating to ratification. *Doc. Hist.*, I. 212; *Madison Papers*, 797, 798 (Butler's second speech being omitted).

Butler observed that the word perpetual in the confederation meant only the constant existence of our Union, and not the particular words which compose the Articles of the union.

Some general discussions came on.—Mr Charles Pinckney said[1] he was for appointing the first branch of the Legislature by the State Legislatures, and that the rule for appointing it ought to be by the contributions made by the different States.

Mr Wilson was of opinion that the Judicial, Legislative and Executive departments ought to be commensurate.

Mr Cotesworth Pinckney was of opinion that the State Legislatures ought to appoint the rst branch of the national Legislature ;—that the election cannot be made from the People in South Carolina. If the people choose it will have a tendency to destroy the foundation of the State Governments.

Mr Maddison observed that Gentlemen reasoned very clear on most points under discussion, but they drew different conclusions. What is the reason? Because they reason from different principles. The primary objects of civil society are the security of property and public safety.

III. AN ANECDOTE.

When the Convention first opened at Philadelphia, there were a number of propositions brought forward as great leading principles for the new Government to be established for the United States. A copy of these propositions was given to each Member with an injunction to keep everything a profound secret. One morning, by accident, one of the Members dropt his copy of the propositions, which being luckily picked up by General Mifflin was presented to General Washington, our President, who put it in his pocket. After the debates of the Day were over, and the question for adjournment was called for, the General arose from his seat, and previous to his putting the question addressed the Convention in the following manner,—

Gentlemen

"I am sorry to find that some one Member of this Body, has been so neglectful of the secrets of the Convention as to drop in the State House a copy of their proceedings, which by accident was picked up and delivered to me this Morning. I must entreat Gentlemen to be more careful, least our transactions get into the News Papers, and disturb the public repose by premature speculations. I know not whose Paper it is, but there it is [throwing it down on the table], let him who owns it take it." At the same time he bowed, picked up his Hat, and quitted the room with a dignity so severe that every Person seemed alarmed; for my part I was extremely so, for putting my hand in my pocket I missed my copy of the same Paper, but advancing up to the Table my fears soon dissipated; I found it to be the hand writing of another Person.

[1] June 6. *Doc. Hist.*, I. 213; *Madison Papers*, 800. Wilson, ibid., 801, 802 C. C. Pinckney, ibid., 808. The concluding remarks of Madison I do not identify.

When I went to my lodgings at the Indian Queen, I found my copy in a coat pocket which I had pulled off that Morning. It is something remarkable that no Person ever owned the Paper.

IV. CHARACTERS IN THE CONVENTION OF THE STATES HELD AT PHILADELPHIA, MAY 1787.

From New Hampshire.

Jn° Langdon Esq^r and Nich^s Gilman Esquire.

M^r Langdon is a Man of considerable fortune, possesses a liberal mind, and a good plain understanding.—about 40 years old.[1]

M^r Gilman is modest, genteel, and sensible. There is nothing brilliant or striking in his character, but there is something respectable and worthy in the Man.—about 30 years of age.

From Massachusetts.

Rufus King, Nat^l Gorham, Gerry and Jn° Strong[2] Esquires.

M^r King is a Man much distinguished for his eloquence and great parliamentary talents. He was educated in Massachusetts, and is said to have good classical as well as legal knowledge. He has served for three years in the Congress of the United States with great and deserved applause, and is at this time high in the confidence and approbation of his Country-men. This Gentleman is about thirty three years of age, about five feet ten Inches high, well formed, an handsome face, with a strong expressive Eye, and a sweet high toned voice. In his public speaking there is something peculiarly strong and rich in his expression, clear, and convincing in his arguments, rapid and irresistible at times in his eloquence but he is not always equal. His action is natural, swimming, and graceful, but there is a rudeness of manner sometimes accompanying it. But take him *tout en semble*, he may with propriety be ranked among the Luminaries of the present Age.

M^r Gorham is a Merchant in Boston, high in reputation, and much in the esteem of his Country-men. He is a Man of very good sense, but not much improved in his education. He is eloquent and easy in public debate, but has nothing fashionable or elegant in his style ;—all he aims at is to convince, and where he fails it never is from his auditory not understanding him, for no Man is more perspicuous and full. He has been President of Congress, and three years a Member of that Body. M^r Gorham is about 46 years of age, rather lusty, and has an agreable and pleasing manner.

M^r Gerry's character is marked for integrity and perseverance. He is a hesitating and laborious speaker ;—possesses a great degree of confidence and goes extensively into all subjects that he speaks on, without respect to elegance or flower of diction. He is connected and sometimes clear in his arguments, conceives well, and cherishes as his first virtue, a love for his Country. M^r Gerry is very much of a Gentleman

[1] Pierce's statements of age, throughout the paper, are only approximately correct.

[2] *Caleb* Strong.

in his principles and manners;—he has been engaged in the mercantile line and is a Man of property. He is about 37 years of age.

Mr Strong is a Lawyer of some eminence,—he has received a liberal education, and has good connections to recommend him. As a Speaker he is feeble, and without confidence. This Gentn is about thirty five years of age, and greatly in the esteem of his Colleagues.

From Connecticut.

Saml Johnson, Roger Sherman, and W. Elsworth[1] Esquires.

Dr Johnson is a character much celebrated for his legal knowledge; he is said to be one of the first classics in America, and certainly possesses a very strong and enlightened understanding.

As an Orator in my opinion, there is nothing in him that warrants the high reputation which he has for public speaking. There is something in the tone of his voice not pleasing to the Ear,—but he is eloquent and clear,—always abounding with information and instruction. He was once employed as an Agent for the State of Connecticut to state her claims to certain landed territory before the British House of Commons; this Office he discharged with so much dignity, and made such an ingenious display of his powers, that he laid the foundation of a reputation which will probably last much longer than his own life. Dr Johnson is about sixty years of age, possesses the manners of a Gentleman, and engages the Hearts of Men by the sweetness of his temper, and that affectionate style of address with which he accosts his acquaintance.

Mr Sherman exhibits the oddest shaped character I ever remember to have met with. He is awkward, un-meaning, and unaccountably strange in his manner. But in his train of thinking there is something regular, deep, and comprehensive; yet the oddity of his address, the vulgarisms that accompany his public speaking, and that strange new England cant which runs through his public as well as his private speaking make everything that is connected with him grotesque and laughable;—and yet he deserves infinite praise,—no Man has a better Heart or a clearer Head. If he cannot embellish he can furnish thoughts that are wise and useful. He is an able politician, and extremely artful in accomplishing any particular object;—it is remarked that he seldom fails. I am told he sits on the Bench in Connecticut, and is very correct in the discharge of his Judicial functions. In the early part of his life he was a Shoe-maker;—but despising the lowness of his condition, he turned Almanack maker, and so progressed upwards to a Judge. He has been several years a Member of Congress, and discharged the duties of his Office with honor and credit to himself, and advantage to the State he represented. He is about 60.

Mr Elsworth is a Judge of the Supreme Court in Connecticut;—he is a Gentleman of a clear, deep, and copious understanding; eloquent, and connected in public debate; and always attentive to his duty. He is very happy in a reply, and choice in selecting such parts of his adver-

[1] *Oliver* Ellsworth.

sary's arguments as he finds make the strongest impressions,—in order to take off the force of them, so as to admit the power of his own. Mr Elsworth is about 37 years of age, a Man much respected for his integrity, and venerated for his abilities.

From New York.

Alexander Hamilton, Yates, and W. Lansing[1] Esquires.

Colo Hamilton is deservedly celebrated for his talents. He is a practitioner of the Law, and reputed to be a finished Scholar. To a clear and strong judgment he unites the ornaments of fancy, and whilst he is able, convincing, and engaging in his eloquence the Heart and Head sympathize in approving him. Yet there is something too feeble in his voice to be equal to the strains of oratory ;—it is my opinion that he is rather a convincing Speaker, that [than] a blazing Orator. Colo Hamilton requires time to think,—he enquires into every part of his subject with the searchings of phylosophy, and when he comes forward he comes highly charged with interesting matter, there is no skimming over the surface of a subject with him, he must sink to the bottom to see what foundation it rests on.—His language is not always equal, sometimes didactic like Bolingbroke's, at others light and tripping like Stern's. His eloquence is not so defusive as to trifle with the senses, but he rambles just enough to strike and keep up the attention. He is about 33 years old, of small stature, and lean. His manners are tinctured with stiffness, and sometimes with a degree of vanity that is highly disagreable.

Mr Yates is said to be an able Judge. He is a Man of great legal abilities, but not distinguished as an Orator. Some of his Enemies say he is an anti-federal Man, but I discovered no such disposition in him. He is about 45 years old, and enjoys a great share of health.

Mr Lansing is a practicing Attorney at Albany, and Mayor of that Corporation. He has a hisitation in his speech, that will prevent his being an Orator of any eminence ;—his legal knowledge I am told is not extensive, nor his education a good one. He is however a Man of good sense, plain in his manners, and sincere in his friendships. He is about 32 years of age.

From New Jersey.

Wm Livingston, David Brearly, Wm Patterson, and Jon.n Dayton, Esquires.[2]

Governor Livingston is confessedly a Man of the first rate talents, but he appears to me rather to indulge a sportiveness of wit, than a strength of thinking. He is however equal to anything, from the extensiveness of his education and genius. His writings teem with satyr and a neatness of style. But he is no Orator, and seems little acquainted with the guiles of policy. He is about 60 years old, and remarkably healthy.

Mr Brearly is a man of good, rather than of brilliant parts. He is a Judge of the Supreme Court of New Jersey, and is very much in the es-

[1] *John* Lansing. [2] W. C. Houstoun omitted.

teem of the people. As an Orator he has little to boast of, but as a Man he has every virtue to recommend him. Mr Brearly is about 40 years of age.

Mr Patterson is one of those kind of Men whose powers break in upon you, and create wonder and astonishment. He is a Man of great modesty, with looks that bespeak talents of no great extent,—but he is a Classic, a Lawyer, and an Orator;— and of a disposition so favorable to his advancement that every one seemed ready to exalt him with their praises. He is very happy in the choice of time and manner of engaging in a debate, and never speaks but when he understands his subject well. This Gentleman is about 34 yr. of age, of a very low stature.

Capt Dayton is a young Gentleman of talents, with ambition to exert them. He possesses a good education and some reading ; he speaks well, and seems desirous of improving himself in Oratory. There is an impetuosity in his temper that is injurious to him ; but there is an honest rectitude about him that makes him a valuable Member of Society, and secures to him the esteem of all good Men. He is about 30 years old, served with me as a Brother Aid to General Sullivan in the Western expedition of '79.

From Pennsylvania.

Benjn Franklin, Thos Mifflin, Robt Morris, Geo. Clymer, Thomas Fitzsimons, Jared Ingersol, James Wilson, Governeur Morris.

Dr Franklin is well known to be the greatest phylosopher of the present age;—all the operations of nature he seems to understand,—the very heavens obey him, and the Clouds yield up their Lightning to be imprisoned in his rod. But what claim he has to the politician, posterity must determine. It is certain that he does not shine much in public Council,—he is no Speaker, nor does he seem to let politics engage his attention. He is, however, a most extraordinary Man, and tells a story in a style more engaging than anything I ever heard. Let his Biographer finish his character. He is 82 years old, and possesses an activity of mind equal to a youth of 25 years of age.

General Mifflin is well known for the activity of his mind, and the brilliancy of his parts. He is well informed and a graceful Speaker. The General is about 40 years of age, and a very handsome man.

Robert Morris is a merchant of great eminence and wealth ; an able Financier, and a worthy Patriot. He has an understanding equal to any public object, and possesses an energy of mind that few Men can boast of. Although he is not learned, yet he is as great as those who are. I am told that when he speaks in the Assembly of Pennsylvania, that he bears down all before him. What could have been his reason for not Speaking in the Convention I know not,—but he never once spoke on any point. This Gentleman is about 50 years old.

Mr Clymer is a Lawyer of some abilities ;—he is a respectable Man, and much esteemed. Mr Clymer is about 40 years old.

Mr Fitzsimons is a Merchant of considerable talents, and speaks

very well I am told, in the Legislature of Pennsylvania. He is about 40 years old.

Mr Ingersol is a very able Attorney, and possesses a clear legal understanding. He is well aducated in the Classic's, and is a Man of very extensive reading. Mr Ingersol speaks well, and comprehends his subject fully. There is a modesty in his character that keeps him back. He is about 36 years old.

Mr Wilson ranks among the foremost in legal and political knowledge. He has joined to a fine genius all that can set him off and show him to advantage. He is well acquainted with Man, and understands all the passions that influence him. Government seems to have been his peculiar Study, all the political institutions of the World he knows in detail, and can trace the causes and effects of every revolution from the earliest stages of the Greecian commonwealth down to the present time. No man is more clear, copious, and comprehensive than Mr Wilson, yet he is no great Orator. He draws the attention not by the charm of his eloquence, but by the force of his reasoning. He is about 45 years old.

Mr Governeur Morris is one of those Genius's in whom every species of talents combine to render him conspicuous and flourishing in public debate :—He winds through all the mazes of rhetoric, and throws around him such a glare that he charms, captivates, and leads away the senses of all who hear him. With an infinite streach of fancy he brings to view things when he is engaged in deep argumentation, that render all the labor of reasoning easy and pleasing. But with all these powers he is fickle and inconstant,—never pursuing one train of thinking,—nor ever regular. He has gone through a very extensive course of reading, and is acquainted with all the sciences. No Man has more wit,—nor can any one engage the attention more than Mr Morris. He was bred to the Law, but I am told he disliked the profession, and turned Merchant. He is engaged in some great mercantile matters with his namesake Mr Robt Morris. This Gentleman is about 38 years old, he has been unfortunate in losing one of his Legs, and getting all the flesh taken off his right arm by a scald, when a youth.

From Delaware.

Jnº Dickinson, Gunning Bedford, Geo: Read, Richd Bassett, and Jacob Broom Esquires.

Mr Dickinson has been famed through all America, for his Farmers Letters; he is a Scholar, and said to be a Man of very extensive information. When I saw him in the Convention I was induced to pay the greatest attention to him whenever he spoke. I had often heard that he was a great Orator, but I found him an indifferent Speaker. With an affected air of wisdom he labors to produce a trifle,—his language is irregular and incorrect,—his flourishes, (for he sometimes attempts them), are like expiring flames; they just shew themselves and go out ;—no traces of them are left on the mind to chear or animate it. He is, however, a good writer and will be ever considered one of the most important char-

acters in the United States. He is about 55 years old, and was bred a Quaker.

Mr Bedford was educated for the Bar, and in his profession I am told, has merit. He is a bold and nervous Speaker, and has a very commanding and striking manner;—but he is warm and impetuous in his temper, and precipitate in his judgment. Mr Bedford is about 32 years old, and very corpulant.

Mr Read is a Lawyer and a Judge;—his legal abilities are said to be very great, but his powers of Oratory are fatiguing and tiresome to the last degree;—his voice is feeble, and his articulation so bad that few can have patience to attend to him. He is a very good Man, and bears an amiable character with those who know him. Mr Read is about 50, of a low stature, and a weak constitution.

Mr Bassett is a religious enthusiast, lately turned Methodist, and serves his Country because it is the will of the people that he should do so. He is a Man of plain sense, and has modesty enough to hold his Tongue. He is a Gentlemanly Man, and is in high estimation among the Methodists. Mr Bassett is about 36 years old.

Mr Broom is a plain good Man, with some abilities, but nothing to render him conspicuous. He is silent in public, but chearful and conversable in private. He is about 35 years old.

From Maryland.

Luther Martin, Jas McHenry, Daniel of St Thomas Jenifer, and Daniel Carrol Esquires.[1]

Mr Martin was educated for the Bar, and is Attorney general for the State of Maryland. This Gentleman possesses a good deal of information, but he has a very bad delivery, and so extremely prolix, that he never speaks without tiring the patience of all who hear him. He is about 34 years of age.

Mr McHenry was bred a physician, but he afterwards turned Soldier and acted as Aid to Genl Washington and the Marquis de la Fayette. He is a Man of specious talents, with nothing of genious to improve them. As a politician there is nothing remarkable in him, nor has he any of the graces of the Orator. He is however, a very respectable young Gentleman, and deserves the honor which his Country has bestowed on him. Mr McHenry is about 32 years of age.

Mr Jenifer is a Gentleman of fortune in Maryland;—he is always in good humour, and never fails to make his company pleased with him. He sits silent in the Senate, and seems to be conscious that he is no politician. From his long continuance in single life, no doubt but he has made the vow of celibacy. He speaks warmly of the Ladies notwithstanding. Mr Jenifer is about 55 years of Age, and once served as an Aid de Camp to Major Genl Lee.

Mr Carrol is a Man of large fortune, and influence in his State. He possesses plain good sense, and is in the full confidence of his Countrymen. This Gentleman is about years of age.

[1] James Francis Mercer omitted.

From Virginia.

Gen! Geo: Washington, Geo: Wythe, Geo: Mason, Ja.ˢ Maddison jun.ʳ Jn.º Blair, Edm.ᵈ Randolph, and James M.ᶜ Lurg.

Gen! Washington is well known as the Commander in chief of the late American Army. Having conducted these States to independence and peace, he now appears to assist in framing a Government to make the People happy. Like Gustavus Vasa, he may be said to be the deliverer of his Country ;—like Peter the great he appears as the politician and the States-man ; and like Cincinnatus he returned to his farm perfectly contented with being only a plain Citizen, after enjoying the highest honor of the confederacy,—and now only seeks for the approbation of his Country-men by being virtuous and useful. The General was conducted to the Chair as President of the Convention by the unanimous voice of its Members. He is in the 52.ᵈ year of his age.

M.ʳ Wythe is the famous Professor of Law at the University of William and Mary. He is confessedly one of the most learned legal Characters of the present age. From his close attention to the study of general learning he has acquired a compleat knowledge of the dead languages and all the sciences. He is remarked for his examplary life, and universally esteemed for his good principles. No Man it is said understands the history of Government better than M.ʳ Wythe,—nor any one who understands the fluctuating condition to which all societies are liable better than he does, yet from his too favorable opinion of Men, he is no great politician. He is a neat and pleasing Speaker, and a most correct and able Writer. M.ʳ Wythe is about 55 years of age.

M.ʳ Mason is a Gentleman of remarkable strong powers, and possesses a clear and copious understanding. He is able and convincing in debate, steady and firm in his principles, and undoubtedly one of the best politicians in America. M.ʳ Mason is about 60 years old, with a fine strong constitution.

M.ʳ Maddison is a character who has long been in public life ; and what is very remarkable every Person seems to acknowledge his greatness. He blends together the profound politician, with the Scholar. In the management of every great question he evidently took the lead in the Convention, and tho' he cannot be called an Orator, he is a most agreable, eloquent, and convincing Speaker. From a spirit of industry and application which he possesses in a most eminent degree, he always comes forward the best informed Man of any point in debate. The affairs of the United States, he perhaps, has the most correct knowledge of, of any Man in the Union. He has been twice a Member of Congress, and was always thought one of the ablest Members that ever sat in that Council. M.ʳ Maddison is about 37 years of age, a Gentleman of great modesty,—with a remarkable sweet temper. He is easy and unreserved among his acquaintance, and has a most agreable style of conversation.

M.ʳ Blair is one of the most respectable Men in Virginia, both on account of his Family as well as fortune. He is one of the Judges of the

Supreme Court in Virginia, and acknowledged to have a very extensive knowledge of the Laws. Mr Blair is however, no Orator, but his good sense, and most excellent principles, compensate for other deficiencies. He is about 50 years of age.

Mr Randolph is Governor of Virginia,—a young Gentleman in whom unite all the accomplishments of the Scholar, and the States-man. He came forward with the postulata, or first principles, on which the Convention acted, and he supported them with a force of eloquence and reasoning that did him great honor. He has a most harmonious voice, a fine person and striking manners. Mr Randolph is about 32 years of age.

Mr McLurg is a learned physician, but having never appeared before in public life his character as a politician is not sufficiently known. He attempted once or twice to speak, but with no great success. It is certain that he has a foundation of learning, on which, if he pleases, he may erect a character of high renown. The Doctor is about 38 years of age, a Gentleman of great respectability, and of a fair and unblemished character.

North Carolina.

Wm Blount, Richd Dobbs Spaight, Hugh Williamson, Wm Davey, and Jno Martin[1] Esquires.

Mr Blount is a character strongly marked for integrity and honor. He has been twice a Member of Congress, and in that office discharged his duty with ability and faithfulness. He is no Speaker, nor does he possess any of those talents that make Men shine;—he is plain, honest, and sincere. Mr Blount is about 36 years of age.

Mr Spaight is a worthy Man, of some abilities, and fortune. Without possessing a Genius to render him briliant, he is able to discharge any public trust that his Country may repose in him. He is about 31 years of age.

Mr Williamson is a Gentleman of education and talents. He enters freely into public debate from his close attention to most subjects, but he is no Orator. There is a great degree of good humour and pleasantry in his character; and in his manners there is a strong trait of the Gentleman. He is about 48 years of age.

Mr Davey is a Lawyer of some eminence in his State. He is said to have a good classical education, and is a Gentleman of considerable literary talents. He was silent in the Convention,[2] but his opinion was always respected. Mr Davy is about 30 years of age.

Mr Martin was lately Governor of North Carolina, which office he filled with credit. He is a Man of sense, and undoubtedly is a good politician, but he is not formed to shine in public debate, being no Speaker. Mr Martin was once a Colonel in the American Army, but proved unfit for the field. He is about 40 years of age.

[1] *Alexander* Martin.

[2] Not absolutely; see *Madison Papers*, 1007, 1039, 1081, 1154, 1191.

South Carolina.

Jn.° Rutledge, Ch.r Cotesworth Pinckney, Charles Pinckney, and Pierce Butler Esquires.

M.r Rutledge is one of those characters who was highly mounted at the commencement of the late revolution ;—his reputation in the first Congress gave him a distinguished rank among the American Worthies. He was bred to the Law, and now acts as one of the Chancellors of South Carolina. This Gentleman is much famed in his own State as an Orator, but in my opinion he is too rapid in his public speaking to be denominated an agreeable Orator. He is undoubtedly a man of abilities, and a Gentleman of distinction and fortune. M.r Rutledge was once Governor of South Carolina. He is about 48 years of age.

M.r Ch.s Cotesworth Pinckney is a Gentleman of Family and fortune in his own State. He has received the advantage of a liberal education, and possesses a very extensive degree of legal knowledge. When warm in a debate he sometimes speaks well,—but he is generally considered an indifferent Orator. M.r Pinckney was an Officer of high rank in the American Army, and served with great reputation through the War. He is now about 40 years of age.

M.r Charles Pinckney is a young Gentleman of the most promising talents. He is, altho' only 24 y.s of age, in possession of a very great variety of knowledge. Government, Law, History and Phylosophy are his favorite studies, but he is intimately acquainted with every species of polite learning, and has a spirit of application and industry beyond most Men. He speaks with great neatness and perspicuity, and treats every subject as fully, without running into prolixity, as it requires. He has been a Member of Congress, and served in that Body with ability and eclat.

M.r Butler is a character much respected for the many excellent virtues which he possesses. But as a politician or an Orator, he has no pretentions to either. He is a Gentleman of fortune, and takes rank among the first in South Carolina. He has been appointed to Congress, and is now a Member of the Legislature of South Carolina. M.r Butler is about 40 years of age ; an Irishman by birth.

For Georgia.

W.m Few, Abraham Baldwin, W.m Pierce, and W.m Houstoun Esq.r

M.r Few possesses a strong natural Genius, and from application has acquired some knowledge of legal matters ;—he practises at the bar of Georgia, and speaks tolerably well in the Legislature. He has been twice a Member of Congress, and served in that capacity with fidelity to his State, and honor to himself. M.r Few is about 35 years of age.

M.r Baldwin is a Gentleman of superior abilities, and joins in a public debate with great art and eloquence. Having laid the foundation of a compleat classical education at Harvard College, he pursues every other study with ease. He is well acquainted with Books and Characters, and has an accomodating turn of mind, which enables him to gain the con-

fidence of Men, and to understand them. He is a practising Attorney in Georgia, and has been twice a Member of Congress. Mr Baldwin is about 38 years of age.

Mr Houstoun is an Attorney at Law, and has been Member of Congress for the State of Georgia. He is a Gentleman of Family, and was educated in England. As to his legal or political knowledge he has very little to boast of. Nature seems to have done more for his corporeal than mental powers. His Person is striking, but his mind very little improved with useful ôr elegant knowledge. He has none of the talents requisite for the Orator, but in public debate is confused and irregular. Mr Houstoun is about 30 years of age of an amiable and sweet temper, and of good and honorable principles.

My own character I shall not attempt to draw, but leave those who may choose to speculate on it, to consider it in any light that their fancy or imagination may depict. I am conscious of having discharged my duty as a Soldier through the course of the late revolution with honor and propriety; and my services in Congress and the Convention were bestowed with the best intention towards the interest of Georgia, and towards the general welfare of the Confederacy. I possess ambition, and it was that, and the flattering opinion which some of my Friends had of me, that gave me a seat in the wisest Council in the World, and furnished me with an opportunity of giving these short Sketches of the Characters who composed it.

REVIEWS OF BOOKS

Religions of Primitive Peoples. By DANIEL G. BRINTON, A.M., M.D., LL.D., Professor of American Archaeology and Linguistics in the University of Pennsylvania. (New York and London: G. P. Putnam's Sons. 1897. Pp. xiv, 264.)

UNITING the historic, comparative and psychological methods, and with opulent reference to religious phenomena found among Occidental nature-peoples, Dr. Brinton, in large part, leaves in the background the Semitic, Indic, Egyptian and other religions, though frequent judgments of insight and great value are expressed concerning the religions of the Orient. As he is one of the leading folk-lorists and anthropologists of America, naturally emphasis is placed upon data gathered from fields in which he is an illustrious expert.

In Lecture I. Dr. Brinton thinks the expression "Science of Religion" is premature, and prefers to regard his work as "a study of religions according to scientific methods."

Primitive peoples, so far from being the earliest men on the planet, are rather the "earliest of a given race or tribe of whom the ethnologist has trusty information." The resemblance of primitive religious ideas is the result not of borrowing by one race from another, nor of historic relations, but springs from the fundamental psychic unity of man.

Savagery is the childhood of humanity; but the savage is not so much a child, as he is an "uncultivated and ignorant adult," a creature of great nervous susceptibility, accepting ideas without reasoning, and capable in a new environment of certain explosions of intelligence, thus revealing a marvellous capacity for knowledge.

The author, while holding that religion is a universal phenomenon, hesitates to think that palaeolithic man could give objective expression to religious feeling. In his ascent from a lower order, there must have been a stage in which he possessed no religious consciousness. Here it may be remarked upon this statement of Dr. Brinton, that obviously man cannot be said to have a religious consciousness before he arrives at the human stage, and that when the hour of human self-consciousness is struck, religious consciousness is coeval with it, for the religious capacity is inherent in his soul from the first.

Lecture II. deals with the psychological development of religion, and relates the subjective to the empirical sources of religious feeling, much in favor of the latter. The author holds with most writers upon primitive religion that by early men agency or will is discerned in the motions of natural objects, that naturism, animism and impressions of the vast non-finite were potent factors of development. But as he pro-

ceeds his psychology becomes, we think, somewhat irresolute and the subjective and objective factors are not as clearly differentiated as one could desire. One may cordially agree with him that "Conscious Volition is the ultimate source of all Force," and that "man is in communication with it," that "there is a *Deus in nobis*," and that our minds "vibrate in unison" with "overtones from the harmonies of the Universal Intelligence." The route from man's personality, or will as causation, to the ground-will of the world and man, is, from the present writer's point of view, an easier passage, than by the way of the monism of Mr. Romanes, which Dr. Brinton seems to favor. Monism is a fascinating but unsatisfactory metaphysic. Mr. Romanes concedes that monism does not lead necessarily beyond pure agnosticism, and from monism one may arrive at either theism or atheism. Monism rests upon the doctrine of an exact quantitative and qualitative parallelism between mind and matter, a doctrine which is still under fire. Without theistic monism, religion would seem to have no adequate explanation. To hold that mind and motion (or matter) are the same thing with two faces, that mental and physical processes are the same, may be of service to derive, empirically, religious feeling from "sub-consciousness," and thus account for abnormal phenomena of religious excitation, but this explanation of shamanism and medicine-rites is secured at the cost of deriving all divine ideals from "auto-suggestion," and of sinking the distinction between the theopathic and the pathologic elements of religion. I am not sure that Dr. Brinton does not rise clearly above this empirical monistic point of view in his italicised statement that man is in communication with a "Conscious Volition." Dr. C. P. Tiele is certainly wrong in saying that Dr. Brinton has sought for the mainspring of religious inspiration in sexual life, but not perhaps so far wrong in saying, that "he has associated it with hysteria."

In Lecture III. religious expression in the word, in magical use of names and phrases, is illustrated by many facts. In Lecture IV. expression of religion in the object, in the worship of the four elements, of stones, trees, animals, and in the genesiac cults, is comprehensively treated. Totemic animals or eponymous ancestors of clans are not to be taken as animals literally, but as mythical ancient beings, of supernatural character, known through revelation or invented by elders of the clan; and thus from the myth sprang the relationship.

In Lecture V. the rite is correctly based upon the myth and not the myth upon the rite. Dr. Tiele (spelled wrongly in the book) takes this view in the *Gifford Lectures* (I. 23) contrary to the view of Dr. W. Robertson Smith.

In Lecture VI. Dr. Brinton traces the lines of development, first, in the social bond, secondly, in the family and the position of woman. In the preceding lecture, he denies that promiscuity and communal marriage have a scintilla of evidence for their existence. The matriarchate and patriarchate both existed as matters of local accident. Thirdly, he traces the lines of development in the growth of jurisprudence, fourthly of

ethics, fifthly of positive knowledge (or science), sixthly of the arts, and seventhly of independent individual life.

One regrets the remark (p. 230) that "in all religions, and in the essence of religion itself, there lies concealed a contempt for the merely ethical, as compared with the mystical in life," and Dr. Brinton seems to accept a perpetual antithesis between religion and science. "Science is from the conscious, and religion is from the sub-conscious, intelligence." Thus religion is placed at all times in "antagonism to universal ethics" and to science. If this is true it is all over, we must think, with a science of religion, and a philosophy of religion as well. But that there is now a rapprochement of science and religion must be conceded. Science is becoming metaphysical, and religious philosophy is inductive in method.

The book is a valuable contribution to the study of religion. The distinguished author enriches our knowledge with many facts from his own field of research. The printing is excellent, and the form of the book attractive, like all those issued from the house of Putnams.

CHARLES MELLEN TYLER.

Nippur, or Explorations and Adventures on the Euphrates; the Narrative of the University of Pennsylvania Expedition to Babylonia in the Years 1888–1890. By JOHN PUNNETT PETERS, Ph.D., Sc.D., D.D., Director of the Expedition. With Illustrations and Maps. (New York: G. P. Putnam's Sons. 1897. Two vols., pp. xv, 375; x, 420.)

THIS book is interesting from several points of view. It is an entertaining and instructive account of travel and adventure. It describes the beginning of a series of explorations of great significance, not yet completed. It also records specific discoveries of enduring value.

Under the head of travel and adventure falls the larger part of the narrative. It includes the account of two separate journeys from America to Babylonia. Constantinople is viewed with the eyes of one detained in it by the weary process of securing an *iradé*, or permission to excavate. Hamdy Bey, the enlightened director of the Imperial Museum at Stamboul, is mentioned in terms of warm appreciation. The ride down the Euphrates is vividly described. It was aside from the author's main purpose to make contributions to geography, ancient or modern, but he has used carefully the standard accounts of Chesney and Ainsworth, and noted, quite simply and definitely, the cases where his observations differed from theirs. He also devotes an Excursus (Vol. I., Appendix E) to a brief sketch of the history of our geographical knowledge of the Euphrates. The identification of *Kal'at Dibse*, on the Euphrates, in Lat. c. 35° 55′ N., Long. c. 38° 20′ E., with the Græco-Latin Thapsacus, and Hebrew Tiphsah, was made by him on his first journey, and has every mark of correctness. He speaks intelligently of the condition of the various towns and villages through which he passed. He closely

observed ruin-mounds along his route. On the second journey he crossed the Euphrates at Hit and remained on the left bank until Baghdad was reached. The noteworthy kindness of Major Talbot, acting Indian resident and British consul-general in Baghdad at the time of his first visit, is warmly acknowledged. Below Baghdad the difficulties, perplexities and dangers increased greatly. The climate and the hostile and jealous Arab tribes were alike threatening. No adequate precautions could be taken against either, and the Turkish commissioner and guard only increased the complication. The first year's work was rendered almost abortive by these various evils. The second, however, in which the party profited by its earlier experience, was highly successful. Dr. Peters supplemented the second season's work by a journey southward, as far as Ur (Mughair). He describes it, as he does all his experiences, in a direct and effective way, without verbosity and rhetoric, with many touches of humor, and with emphasis on the salient points. He makes thus a distinct series of pictures from beginning to end. Apart from these verbal descriptions the volumes contain many reproductions of photographs and drawings, and there are two pocket maps in the first—one of the course of the Euphrates-journey to Baghdad, and the other of Irak or Babylonia. In the form of appendix we have a long extract from the diary of Dr. William Hayes Ward, director of the Wolfe Expedition to Babylonia (1885), including especially topographical data relating to Babylonia itself; we have also translations of the *iradé* of the University of Pennsylvania Expedition, and of the Turkish law concerning excavations; the meteorological observations of the second season at Nippur, and other matter.

The expedition headed by Dr. Peters was the beginning of a series of explorations under the auspices of the University of Pennsylvania, made possible by generous gifts, chiefly from Philadelphians. After Dr. Peters left the field, the work of excavation was taken up by Dr. J. H. Haynes, who had been associated with Dr. Peters, and was carried on in the years 1893–1895. "For two years," Dr. Peters now writes, "the work has been in abeyance; but only in abeyance, for it is the intention of the Archaeological Department of the University of Pennsylvania, as soon as the times permit, to resume and ultimately complete the excavations of this most ancient city yet discovered" (Vol. I., p. viii). The cuneiform texts and monumental objects discovered in these years number many thousands, and are in process of publication by the University of Pennsylvania, under the editorship of Professor H. V. Hilprecht. Dr. Haynes is issuing an account of his own work on the field. The contributions made to knowledge by the long series of diggings already accomplished are immense in quantity, and surprising in kind. What may yet be taken from this one group of mounds none can venture to predict. And it is made quite clear at the opening of Dr. Peters' narrative, without the slightest boasting, that the whole undertaking was due in a direct way to his energy and persuasive power. It is further evident that the selection of Nippur as the place for excavating was made by him—made under

competent advice doubtless, but owing to his decision to follow that advice. Another thing that is plain is that the continuance of the excavations at Nippur after the first, rather disastrous, season, and perhaps the continuance of any excavations with the support of this Philadelphia committee, depended on Dr. Peters' tenacity of purpose, and determination, in spite of relative failure at the first, to push the matter through to ultimate success. He seems to hint at a temporary dissatisfaction of the committee with his conduct of the expedition. If such dissatisfaction existed at all, it certainly was temporary, and their confidence was amply regained and repaid. Still another evident thing is that the excavations conducted since 1890 at Nippur have been along the lines laid down in the work of the first two seasons. In all these respects Dr. Peters' work was fundamental, and he should receive full recognition and credit therefor. Dr. Peters alludes to some want of harmony in the party during the first season. He does this in a gentle manner, and certainly quite without arrogance. This is not the place to enlarge upon personal matters, nor to consider how far individual temperaments and characteristics may explain any friction. It would not be surprising if mistakes were made. Perhaps the original party was too numerous and the official relation of its members to each other not sufficiently defined. Perhaps their physical and mental condition—jaded, reduced by illness, worried by countless daily annoyances, under a constant strain of anxiety and disappointment as they were—may have been responsible for lack of thorough and congenial agreement. It would not seem necessary to allude to these matters because of anything said by Dr. Peters; but in view of comments elsewhere, so much seems not improper. It is however wholly due him that the significance of his two campaigns, both as introductory to the great work of reducing Nippur, and as intrinsically valuable to science, should be clearly recognized.

In what, then, did their intrinsic value consist? Chapter IV. of Vol. II. is entitled "General Results"; Chapters V., VI. and VII. enter more into details, under the headings, "The Oldest Temple in the World," "The Court of Columns" and "Trench by Trench." Chapter VIII. considers "Coffins and Burial Customs" by themselves; Chapter IX., several minor groups of stone and clay objects, and Chapter X. sketches the "History of Nippur." A few points may be noticed in particular:

The excavations here dealt with covered two seasons, of unequal length. That of 1889 continued only about two months (the entire time spent at Nippur that year was a little more than two months and a half—February 1 to April 18). In 1890 nearly four months were spent in excavating. In 1889 the party consisted of Dr. Peters, two other Assyriologists, viz., Dr. Robert F. Harper and Dr. H. V. Hilprecht, an architect, surveyor and engineer, in the person of Mr. Perez H. Field, Mr. (now Dr.) John H. Haynes, as photographer and business manager, and, as interpreter and director of the workmen, Mr. Daniel Z. Noorian. Mr. (now Dr. and Professor) John Dyneley Prince accompanied the expedition as *attaché* and secretary to the director, but was so ill in Bagh-

dad that he was obliged to return. In 1890 Dr. Peters was accompanied by Messrs. Haynes and Noorian, and also by Dr. Selim Aftimus, a Syrian, as botanical collector and physician; but Dr. Aftimus was taken ill on arrival at Nippur, and was forced to go back at once. Four boxes of objects were sent to Constantinople as the result of the first season's work, and more than forty boxes and parcels the second season. A large number of these objects have come to America, by Turkish permission, but the greater part of them are in the Imperial Museum at Constantinople. Plates of illustrations taken from photographs and drawings, and accompanied by careful descriptions, represent some of these objects, and constitute Appendix A of Vol. II. Special consideration is given to some classes of objects. The discovery of clay coffins, shaped like slippers, urns or tubs, gives occasion for the chapter on "Coffins and Burial Customs." Coffins and their contents as found by him Dr. Peters carefully describes. There was hardly a trace of the incineration of bodies, and Dr. Peters concludes, in accordance with the results of exploring the burial cities of Zerghul and el-Hibba, published by Koldewey (*Zeitschr. für Assyr.*, December 1887), that the earlier usage of cremation had passed away in the period from B.C. 2500 on, to which the burials observed at Nippur seem to belong. The author calls especial attention to the discovery of drains made of pottery, to the phallic symbols found in quantities, and to the stone door-sockets, some of them inscribed and very ancient, the oldest being made of diorite from Sinai. Two of them made a camel's load, and Dr. Peters ingeniously suggests that this offers evidence of the use of the camel in Babylonia as early as B.C. 4000. He discusses in a few paragraphs the signs used in the oldest inscriptions, with the general conclusion that the most ancient ones discovered, probably antedating B.C. 4000, are already conventionalized, and by no means the most primitive that we may hope to find.

With the style of the inscriptions and the level of their discovery, is connected the most important series of questions, that relating to the history of the buildings and of the city of Nippur itself. Nippur (modern Niffer or Nufar) lies on an old canal-bed, the Shatten-Nil. It is between the Euphrates and the Tigris, and a little nearer to the former, about fifty miles SE. from Hillah, and ninety SSE. from Baghdad. It was identified more than forty years ago by Layard and Rawlinson, through inscribed bricks found on or near the surface of the mound, and was known to be the northernmost of four ancient cities, especially famous in the religious as well as the political history of Babylonia—the other three being Erech (Warka), Ur (Mughair), and Eridu (Abu Shahrein, or Nowawis, the latter being the name heard by Dr. Peters); with these the names of Taylor and Loftus are indissolubly connected as their explorers. At Nippur, by the same careful process of sinking shafts, running trenches and tunnels and observing strata which further west has yielded such fruit in the hands of Schliemann, Petrie and Bliss, not only have remains of at least two kings—Lugal-zaggisi and Lugal-kigub-nidudu—been found, antedating Sargon of Agade, whose inscriptions

were unearthed thirty-seven feet below the surface, but other remains, in layer upon layer of débris, underlie these. Sargon's date, for reasons that have stood the test of almost twenty years, and are incidentally confirmed by many discoveries, is accepted as B.C. 3800. Lugal-zaggisi and Lugal-kigub-nidudu, whose inscriptions are more archaic than Sargon's, can hardly be younger than B.C. 4000, and may be considerably earlier, while the many feet of underlying débris point to hundreds and perhaps thousands of years prior to them for the date of the earliest settlement at Nippur. This result is strengthened by the necessity of assuming a long period for the development of primitive Babylonian picture-signs into the somewhat conventionalized forms exhibited by even the oldest Nippur inscriptions.

The most considerable excavations made by Dr. Peters were on the temple-mound. A plan, and detailed descriptions, make the chapter dealing with these exceptionally interesting. The temple area proved to cover some eight acres, enclosed by a huge wall of brick, which on at least one side was surmounted by chambers. A slightly trapezoidal shape is given to the enclosure by the substitution of an obtuse for a right angle, at the eastern corner, an irregularity which Dr. Peters attributes to the lack of instruments of precision. The corners are directed approximately to the points of the compass, as in sacred buildings at Ur, Erech and elsewhere, but not exactly so. Dr. Peters rejects the astronomical or religious origin of this orientation. He says modern dwellings in the region are built with a side toward the NW. for coolness, because of the prevailing direction of the winds, and he appears to suppose that the temples simply followed the fashion. This is worth considering, and will doubtless lead to a profitable review of the subject, but the attention paid to astronomy and mathematics in Babylonia, and the intimate connection between ancient science and religion entitle us to expect traces of that connection even in the structure of temples. Within the enclosing walls of the temple at Nippur is a mass of buildings, rooms and walls, of various dates, and near one side the remains of the ziggurat, or artificial mountain, on the summit of which the god Bel had his dwelling, while the altar stood at its foot. This ziggurat is a solid rectangular mass of unbaked brick, rising in two stages, sixty-seven and a half feet thick from top to bottom, with curious wings or buttresses—comparatively late additions—projecting from the middle of each side. The measurement, over the buttresses, is 264 feet by 185. This ziggurat, in its earliest form, dates from Ur-Gur, king of Ur, nearly 3000 B.C., but has been repeatedly renewed and modified since, down to a time as late as 500 B.C. Beneath the ziggurat of Ur-Gur are the ruins of a temple of Bel contemporary with Naram-Sin (B. C. 3750) and his father Sargon. This temple, as far as appears, contained no ziggurat. There were earlier constructions still on the same site, but their form we do not yet know. There is little doubt that this temple-mound was the site of structures for worship from the very beginning of permanent human habitation at Nippur. Probably none

more ancient are yet discovered than those whose crumbled ruins underlie the ziggurat of Ur-Gur.

Limits of space forbid further details. The value of the work recorded in Dr. Peters' book is sufficiently evident. All the world owes a debt to Philadelphia, and to the University of Pennsylvania. The frontispieces of the volumes are portraits of Mr. E. W. Clark and Provost Pepper, of the University, the earliest and largest contributors to the fund, and intelligent supporters of the work. They deserve all honor. May they have many imitators!

FRANCIS BROWN.

Cyprian; His Life, His Times, His Work. By EDWARD WHITE BENSON, D.D., D.C.L., sometime Archbishop of Canterbury. (New York: The Macmillan Company. 1897. Pp. xxxviii, 636.)

No ecclesiastical writer of the first three Christian centuries made so profound an impression on the minds of men as Thascius Caecilius Cyprianus, usually known as Saint Cyprian. His eminently practical genius, the gravity of the great problems in which he was a factor, and the peculiar importance of those two decades of the third century in which he became a Christian and directed the Church of Africa, combine to make his personality a leading one. The pages of Chevalier, Harnack and Bardenhewer show how great has been the literary interest in this remarkable man down to our day, and the long list of editors and students of his works more than justifies the esteem of antiquity such as Prudentius voiced it (*Peristephanon*, No. 13).

> Dum genus esse hominum Christus sinet, et vigere mundum,
> Dum liber ullus erit, dum scrinia sacra litterarum,
> Te leget omnis amans Christum, tua, Cypriane, discet.

In this Life of Saint Cyprian, Archbishop Benson has given to the world the fruit of some thirty years' labor, the scientific perfection of the sketch contributed by him many years ago to the *Dictionary of Christian Biography*. The work is divided into twelve chapters, and is prefaced by a picturesque discription of the contemporary Carthage and Northern Africa, social and religious. Then follows an account of the earlier years of Cyprian, as lay convert, deacon, priest, and finally as bishop of the great Christian community of Carthage.

In the second and third chapters is told the story of the Decian persecution, and the terrible domestic conflict that followed its cessation. Novatianism involved the principle and developed the means of church unity, hence in the fourth and fifth chapters the treatise of Cyprian "On the Unity of the Catholic Church," and the consequences of his legislation for the *lapsi*, or fallen, are discussed. The pastoral activity of Cyprian is described at great length, and furnishes the most readable and serviceable pages of a book in which there is much that will be of service to future students. The memorable question of the rebaptism of heretics, and the consequent conflict of Cyprian with the See of Rome, takes up

over a hundred pages of the work, which ends with the death of Cyprian in the persecution of Valerian. Appendices follow (pp. 537–620) on the meaning of *principalis ecclesia* in Cyprian (*Ep.* 59, 14); on the Libelli (certificates of apostasy) and two extant specimens of them; on the intrigues about the Manutius and the Benedictine text of Cyprian; on points in the chronology of Valerian's reign; on the lists of bishops attending the African Councils and the cities they came from; on St. Cyprian's day in the Kalendars. Three maps illustrate the topography of the story—maps of the cemeteries on the Appian Way near Rome, of the environs of Carthage, and of Proconsular and Numidian Africa, as illustrating the writings of Cyprian. The latter is a very welcome help to the student, in conjunction with the careful chronology of Cyprian's times and writings that precedes the introduction (pp. xxi–xxiii). The text is enlivened with several woodcuts of the graves of Popes Fabian, Cornelius and Lucius, contemporaries of Cyprian, of the coins of Cornelia Salonina, the Christian (?) empress of Valerian, and of the ninth-century frescoes of Cyprian and Cornelius in the cemetery of Callixtus.

It is a work replete with original research, and will be long an indispensable volume to the student of Cyprian. The numerous *opuscula* of that writer have been woven with skill into the narrative, and the book abounds in excursus, appendices, lengthy footnotes, in which a varied and elegant learning is manifested. It belongs among such valuable contributions to patrological literature as the works of Bishop Lightfoot, and is another evidence of the profound charm that Christian antiquity exercises over the best minds.

The defects of the volume are as striking as its good qualities, and quite balance them. The style is ponderous and affected, overloaded with minutiæ of thought and fact, and almost utterly wanting in the lucidity and directness that mark the writings of Lightfoot. It is the style of a modern *grammaticus*, with all its hypercriticism and formalism of method, whereby, too often, the personality of the writer eclipses that of his subject.

Another defect, that runs throughout the book from preface to index, is the strong bias against the Roman Church. The claims of the latter are a just object of criticism at the hands of a writer on St. Cyprian, whose life-history is closely bound up with the history of several contemporary bishops of Rome. But it detracts greatly from the impartiality of the critic, when it seems that he has a brief in the case, and is intent from the opening of it on making "points," long before the crucial discussion of the principal questions sets in. As a literary historian Archbishop Benson is, therefore, inferior to Bishop Lightfoot or Bishop Stubbs. His strictures on the Roman authorities for retaining the interpolated text of *De Unitate Ecclesiae Catholicae* (c. 4, "et primatus Petro datur," etc.) are far too severe. They considered themselves in possession of an ancient and favorable text, that had for it what seemed to them reliable manuscript evidence, and was fully one thousand years in use, when it was proposed to expunge it from all future editions of Cyprian. It

seems wrong to attribute to them a deliberate intention of maintaining a recognized forgery (p. 230), when it is not clear that the interpolations are anything more than marginal notes or glosses that have become incorporated with a text, with which they otherwise have a very close resemblance. Harnack has shown (*Dogmengeschichte*, I.[3] 348) that Cyprian has elsewhere manifested similar views (*e. g.*, *Epp.* 48, 3; 59, 14; 67, 5; 68; 70, 3) and apropos of this matter says: "Cyprian hat sich unzweifelhaft bei seinem Conflict mit Stephanus in Widerspruch zu seinen früheren Ansichten über die Bedeutung des römischen Stuhls für die Kirche gesetzt, Ansichten, die er freilich in einer kritischen Zeit vorgetragen hatte, in welcher er mit dem römischen Bischof Schulter an Schulter gestanden hat" (p. 349, n. 3).

The Roman Church has never needed to base her jurisdictional claims on a single writer, even of Cyprian's standing. Before him Polycrates of Ephesus (Eus. *H. E.*, V. 24), Tertullian (Hieron. *De vir. ill.*, c. 53), and Hippolytus (*Philosophoumena*, IX. 7, 11, 12) had come into conflict with the bishops of Rome, and were compelled to yield. Origen (Eus. *H. E.*, VI. 36, Hieron. *Ep.* 84, 10) was obliged to write a penitential epistle to Pope Fabian, and there can be little doubt that Cyprian himself did some such act, else he would scarcely be in communion with Pope Xystus when the latter died, would not have been taken into the affections of the Roman cummunity and, by a rare and curious exception, made a sharer in the honors paid to Pope Cornelius.

Archbishop Benson objects strongly to the Roman interpretation of the *Ecclesia principalis* of Cyprian (*Ep.* 59, 14). But in what does it differ from *Ep.* 48, 3, where the Roman Church is called "matrix et radix ecclesiae catholicae"? Here, too, the superior impartiality of Harnack is manifest. He says (o. c., p. 405) speaking of the *potior principalitas* of St. Irenaeus (*Adv. haer.*, III. 3, 7) "Unzweifelhaft ist, das vielmehr die römische Gemeinde genannt werden *musste* weil ihr Votum in der Christenheit bereits als das entscheidendste galt."

The third century of the Christian era was one of remarkable activity in the development of church institutions. The divine sap flowed freely through the members of the youthful society. But nowhere was that natural development more visible than in the Roman Church, "in qua semper," says St. Augustine (*Ep.* 43, vl. 162), himself a successor of St. Cyprian, "apostolatus viguit principatus." The facts cited above, the successful checking of the great primate of Africa, the self-subjection of Dionysius of Alexandria (Athanasius, *De Sententia Dionysii*, c. 13), the decision of Aurelian in the matter of Paul of Samosata (Eus. *H. E.*, VII. 30) shows that the power of the Roman See in ecclesiastical matters was already a recognized fact. The epitaph of Abercius (Lightfoot, *St. Ignatius*, p. 496) and the *Adversus Aleatores* (Hartel, *Opp. Cypriani*, p. III., p. 93) throw new light on the course of this development in the second century. The documents of the Donatist appeal to Constantine (Migne, *P. L.*, VIII. 478–492) show that the Roman See was long since recognized as the supreme juridical tribunal of Christians in spiritual matters,

and that Pope Julius did not exaggerate his rights as supreme judge in the matter of St. Athanasius a few years later (Socrates, II. 15, 17; Sozomen, III. 8). The strong resistance of St. Cyprian is an isolated fact, and by no means the criterion of the episcopal temper of the third century, which, in the face of heresy and schism, was rather inclined to strengthen the *potior principalitas* of the Roman See. "Jener Satz: *Ecclesia Romana semper habuit primatum*," says Harnack, "und der andere dass 'Katholisch' im Grunde 'Römisch-Katholisch' sei, ersonnen zu Ehren des Jeweiligen Inhabers des römischen Stuhls, sind grobe Fictionen (!); aber sie enthalten, auf die Gemeinde der Welthauptstadt bezogen, eine Wahrheit deren Verkennung dem Verzichte gleichkommt, den Prozess der Katholisirung und Unificirung der Kirchen verständlich zu machen" (o. c., p. 412). Still more radical are the views of another writer of the same school (Sohm, *Geschichte des Kirchenrechts*, I. § 31, pp. 377–440).

THOMAS J. SHAHAN.

The Domesday of Inclosures, 1517–18, being the Extant Returns to Chancery for Berks, Bucks, Cheshire, Essex, Leicestershire, Lincolnshire, Northants, Oxon, and Warwickshire by the Commissioners of Inclosures in 1517, and for Bedfordshire in 1518, together with Dugdale's MS. Notes of the Warwickshire Inquisitions in 1517, 1518, and 1549. Edited for the Royal Historical Society by I. S. LEADAM, M.A. (London, New York and Bombay: Longmans, Green and Co. 1897. Two vols., pp. 715.)

IN this work Mr. Leadam continues the editing and analysis of the presentments made before the Commission of Inclosures of 1517, which he began in the *Transactions of the Royal Historical Society*, 1892–4 under the title "The Inquisition of 1517." The documents printed in these volumes are of far greater value than those that have previously appeared; for while the Lansdowne MS. printed in the *Transactions* is an incomplete abstract of certain of the returns that were made by the commissioners to Chancery, the present volumes contain transcripts of the original returns themselves. The information contained in the returns is also more varied than that in the Lansdowne MS. It has been analysed and tabulated in painstaking fashion; and the results brought together in the introductions to the several parts of the work.

It is Mr. Leadam's opinion that it was just these counties, the returns of which are now printed, "in which the inclosing movement was proceeding most rapidly and in which, therefore, Wolsey desired to oppose the first check." Hence it is of special interest to know how far these counties had been enclosed. In each of the five counties for which the data are most nearly complete, the area enclosed between 1485 and 1517 was less than two per cent. of the total area returned. The proportion seems small; but that the enclosures were accompanied by important social changes is evident from the number of the evicted. Thus

in Bucks, where 1.93 per cent. of the total area was enclosed, over a thousand persons suffered eviction or displacement from labor. In many localities the area "enclosed to arable" was considerable; thus in Berks it was no less than sixty per cent. of all the land enclosed.

The original returns throw much light on the share taken in enclosing and evicting by the several classes that occupied the land. Leaseholders, farm tenants, and, to some extent, copyholders, as well as freeholders and lords of manors, had a hand in the agrarian revolution. The degree of energy exhibited by these different classes in converting and clearing their land, is set forth by Mr. Leadam, though he adds little or nothing to what he has already said with regard to the tenure of the evicted population. The tables showing the extent to which landowners in the several counties let their land or else retained it in their own hands, are of interest.

One of the more general conclusions that Mr. Leadam reaches—a conclusion both important and new, but not, it would seem, by any means proved,—is that the agricultural movement "began with consolidation of holdings having for object the prosecution of farming on a large scale. It was not till a generation had almost passed away [*i. e.*, 1514–15] that the subsequent movement of conversion of tillage to pasture was sufficiently extensive to arouse the attention of the legislature." For this opinion Mr. Leadam finds support in the documents comprised within these volumes. The tables showing the yearly progress of enclosure seem to be those on which this conclusion, as well as many others, are based. But the defective system of tabulation here employed renders these tables an unsafe basis for generalization. In these tables the period 1485–1517 is divided into four periods of unequal length. The first and fourth periods are each of six years; the second and third are decades. The sum totals of the area of land enclosed during each period are compared; and the increase or decrease per cent. during each of the last three periods is calculated on the area enclosed during the period immediately preceding. No account seems to have been taken of the fact that, other things being equal, more land would inevitably be enclosed within ten years than within six!

The term "consolidation," frequently used in the book, seems hardly a happy one by which to describe the engrossing or aggregation of holdings. For consolidation of holdings suggests the change from holdings that are territorially discrete to holdings that, as Professor Maitland puts it, might be ring-fenced. "Consolidation" in this latter sense was going on at the same time with "engrossing." It would therefore seem especially desirable that different designations should be used for the two distinct movements.

The records, which Mr. Leadam has ably edited, will be of the greatest interest to students of the social history of England. In them too the local historian will find much of value; and the future historian of enclosures will find Mr. Leadam's work the chief printed source from which to draw.

F. G. Davenport.

Select Pleas in the Court of Admiralty. Vol. II., 1547 to 1602, being Vol. XI. of the Publications of the Selden Society. Edited by REGINALD G. MARSDEN. (London: B. Quaritch. 1897. Pp. lxxxviii, 249.)

IN this second volume Mr. Marsden brings down the collection of Pleas in Admiralty through the reign of Elizabeth; and a summary is given of the main events in the history of the court to the end of the seventeenth century. His volumes give us our most authoritative information about the Court of Admiralty before the published reports of its decisions begin. The origin and history of the court have been briefly touched by Coke and the antiquarians, but for accurate knowledge we must now rely on Mr. Marsden.

In the introduction are discussed the history of the court during the later Tudor period, the disputes as to jurisdiction between the admiral and the seaports (emphasizing the medieval notion of jurisdiction as the right to take the profits of justice), the later disputes between the admiral and the common-law courts, resulting in the complete triumph of the latter, and a summary of the history of admiralty through the Stuart period. Mr. Marsden has formulated his conclusions after an exhaustive examination of the English records; they seem to have been carefully drawn, and are enforced by abundant citation of accessible though usually unpublished authorities. If his method can be criticized, it is for neglecting information that could be obtained from Continental sources. Consideration of such sources is of course quite beyond the scope of his work.

An interesting part of the introduction is the summary of cases not elsewhere printed or commented on. One thus gets an adequate notion of the general run of business in the court; and though a mere summary is sometimes tantalizing, one would after all rather know that a case exists, and where, than to know nothing of it. We cannot expect ever to get all the records printed in full.

Special investigation of interesting points has been made, as of prohibitions out of the common-law courts, and of the history of loss in cases of collision. The larger part of the book consists of a selection of decided cases, including a collection of early insurance policies of much historical value. Several of the cases are of especial value to students of international law. Here is a payment of the Sound Dues by giving up part of the cargo (p. 39); and a restitution without salvage of a vessel recaptured from pirates after long use by them (p. 99), though in another case salvage was awarded (p. 87). In a remarkable petition the court was asked to enforce an oral judgment of the king of France by which the English petitioner was given the right to take by way of reprisal goods owned in Little Brittany; the king could not himself deal with the Breton wrongdoer because of rebellion in those parts (p. 140). The right to search a ship under convoy was denied in a later case, cited in the summary (p. lxxxvi), but outside the period covered by the printed cases.

JOSEPH H. BEALE, JR.

What Gunpowder Plot Was. By SAMUEL RAWSON GARDINER, D.C.L., LL.D. (London, New York, Bombay: Longmans, Green and Co. 1897. Pp. viii, 208.)

THE orthodox version of the Gunpowder Plot was formulated in 1857 by David Jardine. Since that time but little new evidence has been collected. A life of Everard Digby has been written, and Neut in 1876 and Father Pollen in 1888 have discussed Father Garnet's relation to the conspiracy. But in spite of this lack of new evidence we have now a reconsideration of the general question, in which Father Gerard in *What was the Gunpowder Plot?* brings a mass of negative criticism to bear upon the traditional story, and elicits a rejoinder from Professor Gardiner in *What Gunpowder Plot was*. It is not clear upon whom in this case the burden of proof will fall, both parties attempting to shift the responsibility under plea of the dangers of hypothetical reasoning.

In the old version of the story two problems were presented to the student, both of which were at bottom questions as to the character of the parties to the plot: who was the author of the Monteagle letter, Mrs. Abington, Anne Vaux, or Francis Tresham, and who were the authors of the plot, the conspirators, the Jesuits, or the government. We appear to be as far as ever from their solution. We have not gained much light from our discussions of the characters of the parties. Father Gerard and Professor Gardiner have therefore wisely turned our attention to the nature of the evidence—wisely, for until the work of Foley, Morris and Law has been supplemented by lives of Tresham, Garnet and Cecil, and the publication of the Stonyhurst MSS., the question as to the morals of the conspirators real or pretended can hardly be determined. We are now asked what does the evidence show relative to the government's previous knowledge of the plot, and what does it suggest regarding the government's implication in the plot. And here a general criticism may be made, that while Father Gerard argues the unreliability of a document because of the falsity of one item, Professor Gardiner would argue (p. 39) the reliability of the document from the truth of one item. Three classes of evidence are in question: (1) the letters, depositions, and memorials connected with the examinations and trials, now embodied in the Gunpowder Plot Book; (2) official publications before and after the trials, the King's Book, etc.; and (3) other contemporary accounts. The first source is of greatest value as to matters of fact, and it is therefore over this that the debate is warmest. Professor Gardiner draws particular attention to the examinations of Fawkes. He appears, however, to admit (p. 51) that the government did not obtain all its early information from this source, and his statement that it would have been impossible for Salisbury to falsify examinations of prisoners without the connivance of the Catholic commissioners (p. 75) seems most arbitrary. On the other hand, what is to be said of Jardine's claim that precisely those papers which constitute the most important evidence against Garnet and the other Jesuits are missing? As to the value of the second source, im-

portant in its bearing upon the motives of the government, all are agreed. The value of the third source appears to be underestimated. We should like to see, for example, a consideration of the statement that the conspirators took the title of the Assertors of Liberty, and of King James's assertion that a certain form of prayer was set down and used among English Catholics for the good success of that great errand, the conspiracy.

We must content ourselves with this general summary of the status of the question, and conclude by expressing our belief that Father Gerard has succeeded in placing the question upon a historical basis. It was proper for Coke and Jeffries to start their investigations with a hypothesis, but it will hardly do for historians, whatever the sanctions of the hypothesis. We are convinced also that it has been shown that the ends of the government were more than the simple ends of justice, and that although many objections have been successfully met by Professor Gardiner, in the main contention Father Gerard is right: we do not know the history of the plot, that is, we do not know all about it (Gerard 708), which is much of a platitude after all.

W. D. Johnston.

Histoire Générale du IV^e^ Siècle à nos Jours. Publiée sous la direction de MM. Ernest Lavisse et Alfred Rambaud. Tome VII. Le XVIII^e^ Siècle (1715–1788). (Paris: Armand Colin et Cie. 1896. Pp. 1051.)

Periods of European History. Period VI. The Balance of Power, (1715–1789). By Arthur Hassall, M.A. (New York: The Macmillan Co. 1896. Pp. viii, 433.)

The eighteenth century has suffered much at the hands of historians. Writers whose eyes are fixed upon the political and material progress of the nineteenth century have been wont to look at the great French Revolution as commencing the era of popular government in Europe and have never wearied in drawing a contrast between the more advanced and more general civilization of the present century, which is, after all, largely the result of modern inventions and improved means of communication, and that of its predecessor. To the political thinker the eighteenth century, with its absolute governments, its cynical statesmen, and its selfish wars, is only made tolerable by the rise towards its close of the spirit of popular liberty, made manifest in the American Revolution. To the economist, it is a century of hide-bound prejudice, retarding the growth of the world's prosperity. To the student of society, it is not even relieved by the writings of Rousseau and the work of Howard from being the period in which the line between classes was most distinctly drawn and when the rich and noble were most careless and contemptuous of the poor and humble. It is a truism among writers that the eighteenth century has all the characteristics, moral, material, and political, of a decaying age, in which old systems and old ideas which have ex-

hausted their vitality are passing away, leaving a world which could only be regenerated by national revolutions and international wars. But this judgment fails to take into consideration the fact that it was in the eighteenth century that the new ideas were born ; that it was in the eighteenth century that great rulers in Europe, sometimes kings and sometimes statesmen, tried to clear away the relics of an outgrown past by the abolition of serfdom and by other reforms ; and that it was in the eighteenth century, just when absolutist government was nearing its fall, that absolutism almost justified its existence during the power of the "Enlightened Despots." The two volumes which have suggested these remarks do not attempt to explain this much maligned eighteenth century ; they simply contain narratives of its events. If a fault could be found with them, it would perhaps be that they do not bring together in harmonious fashion the great current of reform which, extending from Russia to Portugal and from Sweden to Naples, is the most striking feature of the age that preceded the French Revolution.

Every student of history is already acquainted with the earlier volumes of the great *Histoire Générale* which a number of the leading French historians have for some years been publishing under the able editorship of MM. Lavisse and Rambaud. The volume on the eighteenth century is, like its predecessors, written on the co-operative plan, and the only pity is that it could not have been made still more widely co-operative. Without intending any reflections on the excellent scholars who have written the chapters on the American Revolution, on Frederick the Great and on the England of Walpole, Pitt and George III., it must be said that it would have been more satisfactory if such chapters had been the work of American, German and English scholars. It would have been possible for such chapters to have been translated into French and for the widest circulation to have thus been given to them. As it is, the volume has necessarily a French flavor. To this the less exception can be made since the part played by different countries in the entangled politics of eighteenth-century Europe is treated with absolute fairness. The point of view, however, remains French. One reflection that arises from carefully reading the volume is the large amount of space given to Russia and to the development of Russia's part in Continental affairs. A few years ago, certainly, much smaller space would have been devoted to Russian history in a work of this description. Then European scholars were in a blissful state of ignorance with regard to Russian history and were content to take their estimate of Russian affairs from the flimsy memoirs of western adventurers, who had seen something of the strange courts of the three Russian empresses whose reigns cover the greater part of the eighteenth century. But France has in these latter days made herself the interpreter of Russian history, as previously of Russian literature, to the rest of the civilized world. MM. Rambaud, Pingaud and Vandal, to mention three of the most learned contributors to the present volume, have all made their reputation as historians by studies in Russian history. Their excellent acquaintance with Rus-

sian primary and secondary authorities is shown not only in their narratives but also in the learned bibliographies they have appended to their respective chapters. The excellence of the work done by the Russian government in the publication of historical sources, and by the modern school of Russian historians is not generally known upon this side of the Atlantic Ocean; but it may be safely asserted that, for the future, any student or teacher of European history who intends to deal with recent centuries, should add to his equipment of French and German a competent knowledge of the Russian language. Without this aid, he has to depend entirely on French and German secondary writers and he may well fear that the partiality of the one nation, or the antipathy of the other, may falsely interpret the true course of Russian history. It is not too much to say, that the light thrown upon Russian policy by recent writers has entirely modified the old view of regarding Russian history as of no importance, because of the difficulty of learning the Russian language. One important side of the eighteenth-century history deals with the Eastern question in its Swedish, Polish and Turkish phases, and these cannot be studied without a grasp of Russian history. Mr. A. C. Coolidge a year ago made in the pages of this REVIEW a plea for the study of the history of Northern Europe, which, if it needed support, might well find it in the elaborate bibliographies of Russian documents, secondary histories and articles in periodicals contained on pp. 259, 425–428, 515–521. It may be well to draw attention to a few special chapters and to one or two special points after dwelling upon this more general theme. The chapter on the American War of Independence is contributed by M. A. Moireau, and fills more than forty pages. M. Moireau has made a special study of the history of the United States, on which he published the first two volumes of a projected work in 1892. His account of events is necessarily very brief and naturally brings into prominence the part played by France, but it is admirably lucid and his bibliography shows a knowledge of the historical literature on the period. As much perhaps cannot be said for the forty pages upon England under the first three Georges, contributed by M. E. Sayous, who, indeed, writes with eminent fairness, just proportion and sound knowledge, but whose acquaintance with authorities, as shown in his bibliography, is not very extended. As might be expected, the chapters on France are more ample and more thorough, and special attention may be drawn to the brilliant little chapter on the economic condition of France from 1720 to 1788 by M. Levasseur. The chapter on Germany by M. Blondel and the chapters on Italy and Spain by M. Orsi are perhaps too brief to be in proper proportion, but as far as they go they are excellent. The chapters describing the great European wars of the eighteenth century precede the special chapters on different countries and are written by such recognized authorities as M. Vandal, M. Pingaud and M. Vast. But the most valuable part of the volume to the student of modern European history will be without doubt, as has already been implied, the two excellent chapters on Russia covering nearly 150 pages contributed by the distinguished editor, M. Alfred Rambaud.

It is inevitable that English names should be misspelt by French printers. The care of the editors has made these misprints fewer and less ludicrous than usual, but M. Moireau has thrice let *Abercombrie* escape him on p. 530; Chatham appears once, but only once, without his last *h* (p. 258); *Stairs* appears for Stair; Sir Joshua Reynolds twice appears as *Sir Josuah* (p. 797); and most extraordinary of all, as showing whence the author must have got his information on English architecture, the Radcliffe Library at Oxford is represented as the *Radcliff Bibliothek* (p. 796) in the article on Art in Europe by M. André Michel.

Mr. Arthur Hassall's little book does not, of course, pretend to give the same thoroughness of treatment to the period as the big volume of the *Histoire Générale*. It is strictly confined to international politics and gives of them the most convenient account, in a brief compass, that is accessible to students. Mr. Hassall is that one of the group of Oxford history tutors who designed the series of *Periods of European History* of which several volumes have now been published. He had to deal with a period of exceptional difficulty and his experience as a teacher shows itself both in what he inserts and in what he omits. The volume is intended, like the rest of the series, for a humble but useful purpose, namely, to give university students of history a first idea of a period which they are afterwards to study more minutely, to be a guide, in short, rather than a text-book or a treatise. It is in all respects the best book of its kind and on its period in the English language, but it should not be regarded as a definitive book, but rather as a basis for further study. It may be noted in conclusion, to touch on a minor point of difference, that Mr. Hassall seems to have a much higher opinion of Choiseul as a statesman than M. Rambaud, who is inclined to place the idol of former French historians of the eighteenth century upon a very low pedestal indeed.

H. Morse Stephens.

L'État et les Églises en Prusse sous Frédéric-Guillaume Ier, 1713–1740. By Georges Pariset. (Paris: Armand Colin et Cie. 1897. Pp. xx, 989.)

That such an elaborate study of a single epoch of Prussian history should be undertaken by a French scholar for French readers is as surprising as it is pleasing. M. Pariset has not only chosen a theme which is entirely German, but he has treated it with a minuteness and exhaustiveness thoroughly German. Indeed his book gives evidence that he has almost out-Germaned the Germans in their own particular field. After many years of patient and laborious investigation, during which he has consulted almost every possible source, even the most obscure and local, he has given us a work which, so far as information at least is concerned, leaves little to be desired. The title would seem to indicate that the book is devoted to an investigation of the ecclesiastical institutions of Prussia under the second king; as a matter of fact the study is more than

ecclesiastical and more than Prussian in scope. It is an examination of the inner life of Protestantism in the first half of the eighteenth century, and equally of the workings of that type of eighteenth-century absolutism in government which prevailed under Frederick William I. and Frederick the Great.

Beginning in Book I. with the relation of church and state in Prussia, the author proceeds in the remaining five books to discuss the constitution of the church, the social position of the church, the social work of the church, religious life in Prussia, and the dissidents and foreigners. In the division and grouping of subjects he shows judgment and discrimination, although one is slightly surprised to see such heterogeneous matters as the "White Lady of the Hohenzollerns," the Wolf controversy and the work of Thomasius under one general heading.

The church in Prussia had, after the Reformation, become a constituent part of the state. M. Pariset examines with critical thoroughness the origin and significance of the *jus episcopale* with its application to the Prussian church, and then passes directly from the question of the historical and theoretical basis of church government to an examination of the religious beliefs of Frederick William I. This is a more logical step than might, at first thought, be supposed. The king's peculiar character and ideas rendered it inevitable that during his reign the state's action in ecclesiastical affairs should extend to matters of doctrine as well as of mere administration. As in the realms of politics and education he was never able to discriminate between the mere machinery and the idea, so in religion he was unable to conceive of things which the civil power could not regulate and control. Former Prussian sovereigns had, in fact, been accustomed to exercise a careful oversight in matters of doctrine. By the eighteenth century the royal authority over the church had become "a sort of mixed power, half administrative, half confessional—administrative in law and fact, confessional in fact if not in law" (p. 49). The king "himself dictated to his subjects a rule of conduct which, although presented under the title of 'true Christianity,' emanated in reality as much from the state as from the church" (p. 50).

When M. Pariset ventures to indulge in generalizations, as he frequently does, the result is less fortunate than when he confines himself to actual research. This is illustrated in his treatment of popular beliefs (Book V, Ch. II). He finds German Protestantism very poor in popular beliefs, and declares that this is a "poverty which the intellectual simplicity of the masses made all the more perceptible." So far as legends and traditions actually connected with religion are concerned this is probably true, but even his own pages show how abundant was the mass of credulity and how vivid the imagination in the matter of folk-tales and of those superstitions that lie on the borderland of religion and common life. It is true that the influence of the *Aufklärung* movement was already beginning to be felt, but up to the middle of the century the hold of the old beliefs was still strong. Frederick William possessed not a trace of that cynical scepticism which characterized his successor, and had no dis-

position to bring about a saner attitude towards outworn superstitions. His edicts against magic and sorcery furnish a striking proof of this. M. Pariset also relates, as typical of his attitude towards popular credulity, the well-known story of a learned discussion on the reality of supernatural apparitions. This discussion was summarily terminated by the king's declaration that he had himself seen two such apparitions.

But the eighteenth century *Aufklärung* affected much besides popular superstition. M. Pariset has been at much pains to show that the general interest in theology was already declining. He has worked out a tabular statement of the books published in Germany between 1565 and 1840. The percentage of theological works in the last years of the seventeenth century, or in other words, in the period of least intellectual productiveness, reached the highest mark, while after about 1715 the proportion becomes rapidly less. In 1700, out of a total of 978 books, 430 were theological. In 1710, 589 out of 1368 were theological, while in 1740, only 436 out of 1326 were on theological subjects. In no later year of the century did the number of theological books reach 400, although the total number of books published had risen to 4012 in 1800.

Within the pale of the Prussian church our author finds that there were in the period 1713–1740, three theological parties, the right, comprising the rigidly orthodox Lutherans and the Pietists; the centre, including moderate Lutherans and Wolfians; and the left, where were grouped the followers of Thomasius, the Rationalists and the Free Masons. Frederick William, incapable of entering into the meaning of the theological subtleties, interfered in the struggles of these parties only when his personal whims and crude ideas of royal authority led him to identify bad theology with dangerous political sentiments. Against the doctrine of election his anger was especially strong, for such a doctrine seemed to him to infringe on the proper relation of subject to sovereign. Likewise he conceived that the teachings of Wolf were seditious, and instituted that memorable persecution which led to such important results. M. Pariset's chapter on the Wolf affair, in which the University of Halle and the work of Thomasius are also discussed, is to be commended as a most conscientious piece of historical work on a subject not adequately treated in the average history of this period.

Of the non-conforming sects the chief were the Socinians, Mennonites, Moravian Brethren, Jews and Catholics. Toward all of these the king exercised a greater or less degree of toleration. Strong as was his antipathy to Catholicism he never departed from this policy of toleration except when making reprisals for the persecution of Protestants in Poland and the Palatinate. In following the policy of Prussia towards the Catholic church M. Pariset is treading on ground already made familiar by Max Lehmann in his *Preussen und die katholische Kirche*. In connection with the dissenting bodies the author discusses the Bohemian and Salzburg refugees. The fact that Frederick William utilized the expulsion of the Salzburg Protestants to secure valuable colonists for his waste lands has often been taken to prove that his motives were purely selfish.

The theory that he was, on the other hand, acting as the sincere champion and protector of Protestantism has found equally strong advocates. Between these views it is hard to decide, since, as M. Pariset points out, this would involve a knowledge of the inner workings of the mind of a king who certainly never clearly distinguished between interest and duty.

It would be difficult to imagine a more thorough and searching study of the institutions of the church, the relations of consistories, clergy and laity, the work of pastors, the church revenues, and the authority of the church as a part of the state machinery, than is here presented. If the author has read all the acts and decrees which he summarizes in the seventy-eight pages of an appendix, he is certainly entitled to speak with authority. This is but one of the many mechanical excellences of the work, some others being a well-arranged index and a thoroughly satisfactory table of contents. We have become so accustomed to the lack of these in French historical works that we are prepared to appreciate them when they do appear.

ULYSSES G. WEATHERLY.

Life of Napoleon Bonaparte. By WILLIAM MILLIGAN SLOANE, Ph.D., L.H.D., Professor of History in Princeton [Columbia] University. (New York: The Century Co. 1896, 1897. Four vols., pp. xvi, 283; xii, 283; xii, 270; xii, 313.)

DURING the last twenty-five years many Continental scholars have been concentrating their attention upon the period of the French Revolution, and upon the life and times of Napoleon Bonaparte; and by their researches, their publications of official documents, letters, memoirs and diplomatic correspondence, have rendered thrice antiquated any work written upon the subject before this exceptional historical activity began. So minute, however, has been the specialization, so detailed the research, so eager has the investigator been to analyze the motives of particular men or the nature of particular movements, that thus far there has been a woeful neglect of the interests of the general reader, particularly him who gets his information from works in English only.

This is not surprising. The task of digesting and co-ordinating this great mass of material with regard to accuracy, conciseness and literary style, is one from which the majority of scholars might well shrink in dismay. For this reason no adequate life of Napoleon has hitherto been written. The only elaborate study, that of Lanfrey, which was begun thirty years ago, was left unfinished by the death of the author in 1877. Conceived as it was for the purpose of destroying the Napoleonic legend by a free use of the recently published Napoleonic correspondence, its spirit is hostile to the Emperor; and as it was written at a time when little attempt had been made to investigate scientifically the events of the Emperor's career, it is deficient in details. Some writers, like Barni, Seeley and Ropes, have produced only brief sketches; others, like O'Connor Morris and Baring-Gould, whose historical writings it is often

difficult to take seriously, have produced works with little pretence to scholarship; and Fournier, the Austrian deputy, who has written a very able and interesting biography, which for breadth, accuracy and insight will long remain the best introduction to the subject, has written briefly and simply for popular instruction without any attempt at elaborate discussion.

Professor Sloane has, therefore, an admirable opportunity to write a life of Napoleon of reasonable length which shall be, as he has himself stated, a sober statement of facts and not a mass of attributed motives and fictitious details. He had approached the subject as a trained American scholar free from the prejudices of Continental and English students, ready to weigh the evidence, to discover the truth, and to present it clearly and intelligently. He has equipped himself with a thorough knowledge of the literature of the subject, and has made himself familiar with the scenes of the events he narrates, and with the characteristics of the nation with whom he has chiefly to deal. He has likewise a sense of the larger aspects of the subject and appreciates the relation of the career of Napoleon to general history. Aware of these qualifications of our author, we are prepared for work of a high order of merit; and in this respect we are not disappointed. Professor Sloane has given us a history that is both accurate and scholarly; he has pictured familiar phases of Napoleon's career with freshness and vigor; he has portrayed with discrimination and skill many sides of Napoleon's activity and character hitherto little known; while to his work as a whole he has given due balance, and has preserved a good proportion in the space allotted to the various parts of his subject. From the point of view of accuracy, fairness and completeness, he has produced a biography of Napoleon that is far superior to any of the more elaborate works that have appeared from Jomini to Lanfrey.

The opening chapters, which treat of Napoleon's boyhood and youth, are by reason of the very obscurity which has hitherto hung over this period of Napoleon's life, the most valuable portion of the work. By piecing together with very considerable skill the evidence of all kinds that has been gathered, notably by Böhtlingk and Iung, Professor Sloane has succeeded in giving an orderly account of a remarkable period in a great career. He shows the solitude of boyhood and the unshaped ambitions of youth; the friendships "not with social equals whom he despised, but with the lowly whom he understood." He discusses Napoleon's career as a Corsican Jacobin, his neglect of his profession as a soldier, his failure as an author and politician. He shows that the youth, unscrupulous, and apparently without principle, embittered by his experiences, and already "a citizen of the world and a man without a country," because "Corsica repelled him and France never adopted him," was during these years passing through a period of self-education and self-discipline which developed his natural abilities and prepared him for his future work. And he leads us forward to the transformation of the man after Toulon, when his "shiftiness" and recklessness gave place to a concentration of purpose, which culminated four years afterward in the exhibi-

tion of military genius that established his reputation in France, and made permanent his military fame.

From this point Professor Sloane presents Napoleon to us in three aspects: as general, as diplomat, and as statesman. Decidedly the weakest and least satisfactory part of this presentation is his study of Napoleon's diplomacy; in his recital of battles, though he fails signally in the description of Trafalgar, he is more successful; while he is almost without exception admirable in his account of the reformation and reorganization of France. The chapters which give Professor Sloane at his best are those which treat of Napoleon as First Consul, when in 1799 and 1800 he restored to France order, credit, and peace (II., Chap. XII), and in 1801 reformed the social condition of the country, codified the law, and encouraged letters, industry, the arts, and public works (II., Chaps. XIX, XX); and when, as Emperor of the West after Tilsit, he strove to make the prosperity of France commensurate with his own greatness, and, throwing off the mask of republican forms, established a new feudal hierarchy (III., Chaps. VII, VIII). Our author's version of the expedition to Egypt, the erection of the Confederation of the Rhine, the treatment of Prussia after Jena, the national uprising in Spain and Prussia, the meeting of Alexander and Napoleon at Erfurt, and the Emperor's abdication, is vivid, realistic, and at times brilliant.

In the main Professor Sloane preserves an attitude of strict impartiality, making no effort to pass final judgment except in estimating without prejudice what Napoleon did for others or against them, leaving his sins against himself "to be told as an awful warning and then to be left for the Great Tribunal." But in his analysis of the causes which after 1813 led to the downfall of the Emperor are certain conclusions to which exception may be taken. Professor Sloane justly lays stress upon the Emperor's decline as a strategist. "Great as Napoleon was," he says, "he was supremely great as a strategist. . . . As to conception and tactics there never was a failure—the year 1814 is the wonder year of his theoretical genius; but after Dresden there is continuous failure in the practical combination of concept and means, in other words, of strategic mastery" (IV. 62). Then, too, he lays exceptional stress upon the decline of the Emperor's health. He says that as early as the opening of the Russian campaign "the gradual change which had been going on in Napoleon's physique was complete. He was now plethoric and slow in all his movements. Occasionally there were exhibitions of quickened sensibilities which have been interpreted as symptoms of an irregular epilepsy; but in general his senses like his expression were dull. He had premonitions of a painful disease (dysuria) which soon developed fully. His lassitude was noticeable and when he roused himself it was often for trivialities" (III. 252). The progress of this disease Professor Sloane follows most interestingly until after Waterloo, when Napoleon rode away "with his eyes set, his frame collapsed, his great head rolling from side to side." The impression left on the reader's mind is that Napoleon's downfall was due to physical disability and de-

cline in generalship, and that had he retained the powers of his earlier years he would have saved himself from ruin. This conclusion is borne out by the following: "Napoleon's pre-eminence lasted just as long as this effective personal supremacy continued. When his faculties ceased to perform their continuous, unceasing task he began to decline. Ruin was the consequence of feebleness" (IV. 232).

In this account Professor Sloane has neglected the pre-eminent cause for Napoleon's downfall—the union of Europe against him. The whole bearing of our author's discussion from the close of the Moscow campaign is to magnify the importance of the decline of Napoleon's strategical and physical strength, and to minimize the importance of a growing unity among the allies. From this time he is a defender of Napoleon. He presents him as a guileless man caught in the trap of the Austrian marriage, as a man sincere in his professions of peace, a protector of nationality, never blameworthy, only mistaken or self-deceived. For the allies, the monarchs Francis, Alexander and Frederick William, for all connected with the Emperor's overthrow, he has no words of praise; all, he says, were selfish, seeking merely their dynastic interests, constantly blundering, desiring the downfall of Napoleon only that they might restore absolutism. It seems hardly in place for the biographer, who has presented Bonaparte's treatment of Venice in terms rather of admiration for his daring than of condemnation for his duplicity, to score the allies at this period for broken treaties, selfish double-dealing, and disregard of national movements; or to denounce them for doubting Napoleon's sincerity or hesitating to conclude a peace which would leave him master in half of Europe; or to imply that, in declaring Napoleon an outlaw after his return from Elba, they were guilty of an outrage upon humanity. Professor Sloane seems in no way affected by Napoleon's own absolutism, selfishness, and dynastic interests, by his offences against Europe, and his disregard of the rights of states or of the rights of a nation. He does not credit the allies with a sincerity in their belief that only by the overthrow of the Emperor might peace come to Europe; he interprets their conduct in the light of the Holy Alliance, and so reads his history backwards. In these chapters Professor Sloane is pleading as a national liberal against dynastic absolutism, and in this instance has ceased to be impartial.

Thus far we have examined this work as a scholary production without special claims to popularity; but the fact that it has been issued in popular form as a work for the reading public demands a further examination of its treatment, style, and setting.

As regards treatment, Professor Sloane is stronger in his powers of description than in his powers of analysis. He is much more successful in his account of striking scenes, of important institutions, of great social changes, where the object described has a certain natural simplicity and organic unity, than in his account of situations which by virtue of many actors and many policies are naturally complicated. In his study of the Continental System, of the diplomacy preceding the treaty of Tilsit, of

that preceding the Austrian uprising of 1809, and above all else in his study of the negotiations leading up to the formation of the Fourth Coalition (1813), he is confusing, obscure and difficult to follow. At times we fear that the reader will find himself hopelessly entangled in a labyrinth of fact and statement with no clue to the way of escape. This is due partly to bad transitions, in which there is no regard for the principle of causal connection of ideas; partly to a lack of those larger generalizations, summaries, résumés and suggestive comments which throw light upon a period and make it intelligible to the general reader. It is more than likely, however, that the reading public would not be troubled by such omissions if only Professor Sloane had made his work more interesting by putting more color and more romance into his pages; but of color there is little, of romance none, all is sober statement of fact. The pity of it is that the general reader will be tempted to turn from this truly admirable work, and if he does not go back to his Hazlitt or John S. C. Abbott, will doubtless take up the interesting but superficial biography of Baring-Gould.

These defects of treatment are made rather more noticeable by a style, which though often polished and forcible, is nevertheless lacking in charm and simplicity. It is hard and artificial, possessing little to tempt or allure, often giving up its meaning only after a second reading; erring in the use of metaphors that are so realistic as seriously to disturb the continuity of thought; and in the use of words that are unnecessarily ponderous and obscure. Professor Sloane's vocabulary ranges from such colloquialisms as "slack joints," "huckstering," "pull through with a whole skin," "hoodwink," "ingredients of a queer hodgepodge," "making a mess," "plumply," "flabby," "puffy," "blabbed," "nick of time," and the like, to such words as "symptomatic," "riposte," "ichor," "amorphous," "atrophy," "velleities" and such combinations as "interstitial sentimentality," "ubiquitous enthusiasm," "occasional divagations," "superserviceable Mephistopheles," and to such phrases as "a people sowed with a cruel and bloody past," "a case-hardened population," "a pregnant step," "a solid foundation of a permanent organic life," etc. Such a style as this can never become popular.

The reader may well ask why such a work, possessing so few claims to popularity, so many claims upon the attention of the serious student, has been issued in a form so elaborate and expensive as to keep it out of the hands of those who would chiefly desire it. Four large heavy volumes, sumptuously bound in red and green, printed on heavy paper in an *édition de luxe* type, and filled with nearly three hundred illustrations, more than half of which are purely imaginative, form a strange setting for a work of scholarship. To those most likely to buy it the work will be chiefly attractive as a portfolio of paintings. Between text and illustrations there is little or no connection. Some of the illustrations face the proper page, the majority do not, and a few unfortunate pictures are fifty pages more or less away from the place where they rightly belong.

Some of them are not referred to in the text at all. At least in one instance text and illustration differ, in two instances the text declares the subject of the illustration to be half fabulous. The sin against the historical sense is considerably increased by the fact that many of the illustrations were made to order by artists employed by the publishers.

But the chief grievance of the student is the omission of footnotes and references, due to the wishes of the publishers, "in deference," as Professor Sloane confesses, "to what seems to be the present taste of the reading public." In a life of Napoleon that claims to be in part based on original investigation by the author and for the remaining part on the results of the most recent research, this omission is unpardonable. Nor is the bibliography at the end of the fourth volume a recompense; for such a general bibliography in a work of this kind is not of the slightest use to the reading public, and its alphabetical arrangement injures its value for students. A bibliography of the life and times of Napoleon that is not arranged by periods or subjects, with critical comments and explanations, is no better than a section of a card-catalogue. Professor Sloane might well have taken Fournier for his model, and in giving to his bibliography a scientific arrangement have made up to students in some degree for the sins of his publishers.

CHARLES M. ANDREWS.

Souvenirs d'un Historien de Napoléon. Mémorial de J. de Norvins, publié avec un avertissement et des notes par L. DE LANZAC DE LABORIE, (1768–1810). (Paris: E. Plon, Nourrit et Cie. 1896, 1897. Three vols., pp. xxxvi, 436; 418; 356.)

THERE have been many writers whose fame is assured not by the books written for publication on which they based their claims to the recognition of their contemporaries and of posterity, but by comparatively careless reminiscences composed in old age telling of the things that they had seen and the deeds that they had done. Norvins is one of these. Though a voluminous author in his time and one who wrote well on many subjects, his literary fame has long passed away. His *Histoire de Napoléon* was an immensely successful book in its day and is said to have passed through twenty-two editions within a few years after its publication. But it is now relegated to the category of books which lie on the stall of the open-air second-hand book-seller on the *quais* of Paris and which only the undiscriminating book-buyer dares to purchase. And in truth, it deserves its fate. Written as it was by an ardent admirer of Napoleon, without any historical sense or historical training, it never had any value as a history, but served rather to fan the growing wave of Napoleon-worship which eventually placed the nephew of the great emperor upon the throne of France as the inheritor of the glories of the Napoleonic legend. A certain grace of style which Norvins undoubtedly possessed made the book readable at the time of its publication, but now that the perspective of time has placed the career of Napoleon in a different

light, while new sources of authority are being constantly made accessible, the old-fashioned, indiscriminate eulogy has fallen into general disrepute. The other works of Norvins never had more than an ephemeral interest, and his place among French writers of the nineteenth century would have been low indeed had not the publication of these memoirs half a century after his death given him rank with the most delightful of French memoir-writers.

The French nation excels all others in the perfection of the autobiographical literature which forms so important a characteristic of its literary production. The perennial interest of French history lies largely in the fact of the adaptability of the people or of the language for personal reminiscence. Every period in it is illustrated by a wealth of memoirs. While other countries have, indeed, plenty of documentary material from which their history can be studied, for no country but France does there exist an equal amount of readable personal recollections. It is within the last few years that there have been issuing from the press of Paris numerous memoirs of the great Revolution and of the First Empire which prove that that period is to be as clearly interpreted by eye-witnesses for future generations as the seventeenth century is by the memoirs of Cardinal de Retz, Madame de Motteville and the Duc de Saint-Simon. Foremost among these memoirs stand those of Marbot and Thiébault, and to them must now be added the *Mémorial* of Norvins.

The first striking point of these memoirs is the air and tone of good society which pervades them. It is not surprising to hear that Norvins was in his day considered one of the most charming conversationalists in Paris. Anecdote follows anecdote with easy grace, descriptions of individuals are touched off with happy phrases that make the subjects of them live again, and the rules of good-breeding are never broken. Part of the charm of Norvins lies in his amiability; he is never malignant even towards those who injured him, and relates his own want of success in the career of life when friends with less reputation for wit and brains than himself were rising to high office, with a half-pitying laugh at his own misfortunes and an evident desire not to bore his readers over-much with the realities of his life. Ever moving in the best society, welcomed alike in the salons of the *ancien régime*, of the Consulate and of the Empire, Norvins met every one worth knowing during his time and retained a clear picture of them and their surroundings. Born in 1769, in the same year as the famous Corsican, who was to do so little for his advancement, of a wealthy family, which had held high official positions during the eighteenth century and had intermarried with many celebrated houses, Norvins had time to study the society of the old French monarchy at the eve of its dissolution. How charming that society was is known from other writers, but nowhere is it pictured with such kindly fidelity as in the memoirs of the young man who was permitted a brief glimpse of its felicity just before the Revolution dispersed that gracious society over all the countries of Europe. The picture of life at the Château of Brienne, for instance, is in its way a master-piece

of that most difficult art, the portraiture of society, and Norvins lingers lovingly over the recollections of his youth as a successful *débutant* in that most polished circle. When he was twenty years old, the States-General met and the age of the French Revolution succeeded that of the Bourbon monarchy. With ever-growing interest, the young man watched the rising of the storm which was to sweep the Bourbon monarchy and its high-bred society out of existence and he resigned his position as judge at the Châtelet after the condemnation of Favras under the threats of the mob. In 1791, like all young men of good breeding and with pretensions to good society, he left France to join the army of the émigrés under the command of the Prince de Condé. Norvins has left two pictures of the emigration, and whenever the history of the exiles who left France at the time of her distress comes to be written worthily, his pages must be largely used. His first experience was with the army of Condé or of the princes, as it is commonly called, and the fate of that ill-starred attempt of the young noblesse of France to aid in the subversion of the hopes of France, is vividly depicted. The second picture of the emigration deals with the life of those French émigrés who found an asylum in Switzerland. In some ways, the life there was not so striking as the life of the émigrés in England or in Germany, but Norvins saw revived again the society of Paris in the Swiss cantons. It was there too that he made the acquaintance of Madame de Staël, of whom he writes in as enthusiastic admiration as of her enemy Napoleon. Returning to Paris in 1797 before his name had been withdrawn from the list of the émigrés, his life was soon placed in the greatest peril. He was denounced to the authorities; his life was only spared owing to the interposition of Madame de Staël with the Directors; and he spent the two years from 1797 to the establishment of the Consulate in 1799 in the prison of La Force. Naturally he hailed with joy the *coup d' état* of 18 Brumaire and was ready to worship at the shrine of the Corsican general who had opened the doors of his prison. For a moment, under the Consulate, Norvins seemed likely to win place and power, but he recklessly threw his chances away and embarked for San Domingo with General Leclerc. Norvins survived the terrible catastrophe which destroyed Leclerc's army and did good service according to his own account, which is supported by authentic documents, in the French attempt to recover possession of its former West Indian colonial headquarters. Perhaps this portion of Norvins' memoirs is of the greatest historical value, for there are other accounts of the society of old France and of the emigration, but there exists no such vivid narration of the unfortunate San Domingo expedition as is contained in the last part of the second and in the first part of the third volumes of Norvins' *Mémorial*. The friend of Leclerc soon found that his services in San Domingo did not commend him to the favor of the First Consul, for as he himself says, Napoleon never liked to be reminded of a failure. Therefore, in desperation, after enjoying for some months the pleasures of the social life of Paris in which he shone, the brilliant wit at the age of eight and thirty suddenly enlisted in a *corps d'élite*,

which it was rumored the Emperor intended to organize into a noble body-guard after the fashion of the *ancien régime*. This gave Norvins an opportunity of seeing service with the Grande Armée and he describes, not indeed with the soldier-like enthusiasm of Marbot, but with the somewhat indifferent interest of an amateur, the campaign of Friedland in 1807. Since his brief taste of military life did not promise swifter promotion than his experience as a civilian, Norvins refused a commission in the army and entered the service of Napoleon's youngest brother Jerome, the king of Westphalia. The personalities of the little German court are brilliantly depicted, but the theatre was too small for the ambition of Norvins and he speedily abandoned Jerome in the hope of at last receiving a satisfactory place from Napoleon. In 1810, he was appointed director-general of the police of Rome, but the chapters of the *Mémorial* dealing with his sojourn there are, with the exception of a few pages dealing with Fouché's brief appearance in 1814, unfortunately lost. The *Mémorial* then terminates to all intents and purposes with the appointment of Norvins to his Roman post.

What, it may be asked, is the historical value of these reminiscences of M. de Norvins? It will be seen that he had plenty of opportunities of studying great men and witnessing great events. But he observed them not with the eye of a statesman or of a political philosopher; he throws no new light that can be relied on upon the actual framing of policy or the responsibility for measures; he was never enough on the inside to learn how the mainspring worked. But from the point of view of a well-bred man of the best society and of a keen observer of men and women, he has left a picture of unrivalled vivacity and brightness of many phases of bygone life. Norvins knew his world, the world of society, perfectly; no one was ever better fitted than he to judge of social politics, and it is as a kindly and witty gentleman that he writes of the experiences of his life. He does not give us indeed the life of the Grande Armée as Marbot has imperishably described it; but he gives us a different point of view of the same period, just as characteristically and typically French. A word of praise should be said for the excellent editing and admirable notes of M. de Lanzac de Laborie, which greatly enhance the value of the most delightful book of memoirs which has appeared in France since the publication of the memoirs of the Baron de Marbot.

H. Morse Stephens.

Murat, Lieutenant de l'Empereur en Espagne (1808), d'après sa Correspondance inédite et des Documents originaux. Par le Comte Murat. (Paris: F. Plon, Nourrit et Cie. 1897. Pp. xi, 478.)

This volume is incontestably the most valuable contribution to the history of the First Empire which has been published during the last twelve months. Its value is due, not only to the careful analysis of docu-

ments and to the novelty of its point of view, but also to the sound historical method pursued by the writer. The very name of the author naturally gives rise to a suspicion of partiality; he frankly devotes himself to the task of clearing the reputation of his great-uncle; but he approaches his task with candor and modesty, gives a full account of his authorities and of the way in which the material he uses came into his hand, and makes his case effective not by rhetorical passages but by carefully illustrating his points with citations from the letters of Napoleon and of Murat. It is owing to the evidence he gives of knowledge and judgment, that impartial readers are likely to judge his pleading favorably, and if he can deal as effectively and moderately with the other test period of Murat's life as he has dealt with his hero's career in Spain, he will succeed in modifying the hitherto accepted verdict of history.

In a brief preface, the Comte Murat describes how it fell to his lot to write the volume which has just been published. No career is more striking in that epoch of striking careers which marks the transition of Europe from the old to the new under the leadership of France, than that of Joachim Murat. Europe was almost as startled to see the humble innkeeper's son of southern France raised to a throne, as it was to see the elevation of a Corsican officer of artillery to a power unknown since the days of Charles the Great. There are several Murats as there are several Napoleons. Just as some modern students can see in Napoleon nothing but the great general and man of war, disregarding his extraordinary faculty for administration and the far-reaching sweep of his marvellous abilities, so there are many to whom Murat is but the brilliant cavalry leader. Murat as a statesman, Murat as an able and beneficent ruler, has never had justice done to him. The picture that rises actually to the mind at the mention of Murat's name is that of the *beau sabreur*, not that of the trusted lieutenant of the Emperor or that of the successful king of Naples. Of all Napoleon's brilliant *cortège*, Murat is the most famous and the least understood. That this should be so is easily explicable. The tragedy of his death at Pizzo in 1815 could not blot out the memory of his behavior in 1814 when he deserted the cause of the brother-in-law who had made him what he was, and appeared in arms against France in the moment of Napoleon's extremity. Hearty admirers of the great emperor, including the vast majority of his biographers, remembering Murat's desertion of their idol at the last, have colored their whole appreciation of his character and his career, by their knowledge of his final treachery. They admit him to have been a splendid cavalry leader, but regard him as bearing always in his heart the black sin of his final ingratitude.

But there were some few who knew Murat intimately and refused to bow to the verdict of history, which during many years of Napoleon-worship declared Murat incapable as well as treacherous. Foremost among the friends of Murat was a man who had sat on the benches of the village school with the little Joachim, and whom Murat, when he had become Joachim I., King of Naples, summoned to his side as one of his

ministers. This man, whose name was Agar, and who was later created Comte de Mosbourg, long survived his former friend, and intended from his own knowledge of Murat, with the assistance of the papers confided to him by Murat's widow, to write a defense of the king of Naples and especially an explanation of his action during those periods of his life which had been most severely criticised. The Comte de Mosbourg died in 1844 leaving his work unaccomplished, and bequeathed the notes he had made and the papers in his possession, including much of Murat's correspondence, to his son. The second Comte de Mosbourg, a distinguished French diplomatist, was also unable to find the leisure to carry out his father's ideas and it was at his death that the duty of defending Murat's memory fell to his great-nephew, the Comte Murat. The Comte de Mosbourg selected as the two most criticised episodes in Murat's career, his command in Spain in 1808 and his conduct in Italy in 1814. It is with the first of these episodes that the volume just published deals and it is to be hoped that in no long time the even more obscure period of Murat's desertion of his master may be examined in the same lucid manner. Before entering upon his task, the Comte Murat devotes between eighty and ninety pages to a brief sketch of Murat's career up to the time of his appointment to the command of the French troops in Spain. This sketch is not a full biography, but it contains many interesting letters illustrating Murat's early life and throwing light upon his character. His strong affection for his relatives, and particularly for his peasant mother, which is one of the most attractive features in his character, is neatly brought out without sickly exaggeration; his intense affection for his wife, the ambitious Caroline Bonaparte, is also artistically insisted upon; the sentimental side of the famous trooper's disposition, which Napoleon so well understood, is noted; and it comes as a little of a shock to those who might imagine the cavalry leader of Napoleon as a man of blood, to read his declaration to the Comte de Mosbourg, that he had never to his knowledge slain a man in battle. Especially important in this brief sketch is the proof given in the Comte de Mosbourg's own words, with a careful statement of the facts, that Murat was not an accomplice in the murder of the Duc d'Enghien (pp. 437–445).

But it is time to turn to the volume itself. Napoleon at St. Helena spoke of the war in the Peninsula as "that unfortunate war, the first cause of the misfortunes of France," and all historians have echoed the words of the Emperor. Worshippers of Napoleon, admirers of his genius, contemporaries who could not bear to attribute to the great man himself and to his policy the cause of his misfortunes, have ever sought to find other shoulders on which to place the blame of the Peninsular war. The fatal steps which led to it were so indubitably taken by Napoleon himself, that apologists for the Emperor have to admit his responsibility and the endeavor has therefore been made to show that it was not the Emperor's policy but the manner in which it was carried out that sowed the seeds of future disasters. And since it was Murat, the future traitor, who represented Napoleon in Spain during the critical months in 1808,

when the Spanish policy of Napoleon was worked out and the first symptoms appeared of national insurrection, Murat has had to bear the blame. It has been asserted that it was the intemperate conduct of the Emperor's lieutenant that outraged the Spanish people in his conduct towards King Charles IV., King Ferdinand VII. and Godoy, the Prince of the Peace; that he acted from motives of personal ambition in the hope of receiving for himself the throne of Spain; that he raised the flame of a national outbreak by his cruel suppression of the riot of May 2 in Madrid; that he misinterpreted, if he did not directly disobey the Emperor's orders; and that from the moment of his arrival in the country till he was smitten down by an illness caused by disappointed ambition, he failed to understand the temperament of the Spanish people and laid the ground for that bitter resentment towards France which led to the disasters of the Peninsular war. Most clearly has the Comte Murat proved the injustice of these accusations. Examining the doings of Murat in Spain, week by week and nearly day by day and hour by hour, he has proved that, in all he did, Murat was directly guided by Napoleon's instructions; he has shown by full quotations from the Emperor's letters to his brother-in-law and from Murat's replies, how faithfully the orders of the former were carried out; and that instead of causing trouble by making an intemperate use of his position as commander of the French troops, he did not go as far as the Emperor expected or desired in the repression of Spanish opposition to France. It was the Emperor who adopted an aggressive, and Murat a conciliatory, attitude towards the Spanish people; it was the Emperor who dictated every step taken towards the bringing of the Spanish royal family to Bayonne; it was the Emperor who misunderstood the probable effect of his proceedings upon the spirit of a proud and haughty race; and it was Murat who, though left in the dark with regard to Napoleon's intentions, managed through many critical weeks to maintain the peace in Spain. The commonly held view of Murat's behavior has been largely based by historians upon a dispatch supposed to have been sent to him by the Emperor, dated March 29, 1808. This letter was first printed in Las Cases's *Mémorial de Sainte-Hélène* and has been accepted as authentic ever since. The editors of the great collection of Napoleon's *Correspondance* admitted that they could find no trace of the letter but assumed its authenticity and printed it in a foot-note. M. Thiers seeing the difficulty propounded a theory that the letter was written but never sent. Other writers, both contemporary and modern, have accepted the letter as genuine and founded upon it their conclusions that Murat did not faithfully carry out the Emperor's orders. Savary, Duc de Rovigo, and other contemporaries, who could not forgive Murat for his desertion of Napoleon's cause in 1814, caused their recollections of the time to fit in with Napoleon's supposed letter, thus building up a fabric of contemporary evidence which has deceived later historians. Now the Comte Murat has proved this letter to be spurious. It would take too long here to repeat his arguments, but they are conclusive. He does not pretend to explain how Las Cases came to print this supposed

despatch, but that is of minor importance, for it must be remembered that Las Cases, like all the faithful adherents of the fallen Emperor, hated Murat as a traitor and that this frame of mind made him ready to accept any proof that might clear the Emperor of the charge of want of foresight. Excluding this famous letter from consideration, it clearly appears that Murat faithfully carried out the Emperor's orders, and indeed, that he understood the condition of things in Spain better than his master. It may be said that he hoped the throne of Spain might be his reward for faithful service, but that expectation, even if he had it, which in the light of his letters seems improbable, did not make him the less zealous to prepare as far as was in his power for the peaceful accession of Joseph Bonaparte.

Las Cases reports that Napoleon in speaking at St. Helena on the Spanish war said on one occasion: "Murat bungled all this business for me." The merit of the Comte Murat's book is that he has proved, to quote his own words, that it was not Murat that bungled, and in proving this he has made a contribution of real value to our knowledge of a most important period in the history of the First Empire.

H. Morse Stephens.

The Fifteenth and Sixteenth Annual Reports of the Bureau of Ethnology. By J. W. Powell, Director. (Washington: Government Printing Office. 1897. Pp. cxxi, 336; cxix, 326.)

These two large volumes are presented with the fulness of illustration and excellent type of manufacture which characterized heretofore the series. Each begins with a general account of the work by the Director, which is followed by the reports of members of the Bureau.

In the Fifteenth Report the leading article is one by Professor William H. Holmes on the Stone Implements of the Potomac and Chesapeake Tide-water Regions. It is, as we should naturally expect from his pen, a thorough piece of work. It reviews the manufacture of flint stone implements from the most noteworthy sites in that region, especially those on what is known as Piny Branch, which is in the District of Columbia and which has for years engaged the attention of antiquaries. The three classes into which he divides the subject are flaked, battered and abraded stone implements, and those formed by incising or cutting. It is familiar to archaeologists that the ruder implements from this region have, by various writers, been attributed to some ancient population long preceding the Indians encountered there by the first settlers, and going back, indeed, to palaeolithic man. There is to-day in Washington a collection from this province so labeled. This opinion does not find any support in Professor Holmes's elaborate article. Whether we regard the geological materials, the conditions of the arts, or the position of the sites themselves where the rudest stone implements have been found, they all in his opinion indicate the period and the workmanship of the Indian such as we know him by history. None of them exhibits any feature

which requires us to assume a people or a civilization other than those found occupying the region at the time of the discovery.

Following this is a posthumous paper by James Owen Dorsey on the Sociology of the Siouan Stock of the North American Indians. His well-known intimate acquaintance with this stock gives the paper an authority which no other author could equal. It describes the general features of their organization, their social customs, gentile divisions and plans of camping. An introduction to the paper, by W J McGee, gives the extent of the stock, its nomenclature and arts. The especial value of these papers is increased by the recently discovered wide distribution of this stock in early times. Important branches of it existed on the Atlantic sea-board and on the shores of the Gulf of Mexico, although its best known members lived far to the north, on the upper streams of the Mississippi. The Siouan stock, as presented in these two studies, furnishes a good example of the organization of primitive families into clans, and shows how they were united into tribes and the tribes again into confederacies, the whole structure being erected on the basis of real or theoretical kinship.

The next paper in this volume is by J. Walter Fewkes. It bears the title, "Tusayan Katcinas," which we find on examining the text means a class of imagined supernatural beings of a secondary order, worshipped by the Indians of the village of Moqui, who were also called Tusayans. These deities are represented in the ceremonies by men wearing masks or by small images which are carried about. To each such being belongs a cycle of legends in the current mythology of the tribe which explain his characteristic. They are connected with the ritual calendar and the ceremonies which it prescribes for the various seasons of the year. Mr. Fewkes has with great care investigated how the time for such ceremonies is fixed, how they are classified, and, as far as possible, the signification of the symbols introduced. In this manner he carries us through the ceremonial year, furnishing accurate descriptions of the rites and to some extent of the sacred formulas which are pronounced. At the close of his paper he compares these ritual dances with those described by other observers in neighboring pueblos. The result reached is that there appears to have been a uniform ancient ritual in all the pueblos examined, which no one of them has retained in its original purity.

The volume closes with a report by Mr. Cosmos Mindeleff on the Repairs of the Casa Grande Ruin undertaken in 1891; a work which it is to be hoped will be continued and completed.

Passing now to the Sixteenth Annual Report we have as the first paper one on Primitive Trephining in Peru by Manuel Antonio Muñiz and W J McGee. The collection of skulls on which it is based was shown in this country first at the Columbian Exposition at Chicago, where they excited much attention. The habit of boring or scratching through the living cranium was one quite frequent in various parts of the world among savage tribes. They were also accustomed to cut out fragments from the skull of the dead and wear them as talismans or amulets. All continents

supply examples of this nature. The extent to which the custom was carried in Peru was unusual, as many as two per cent. of the skulls in some cemeteries showing traces of the operation. In the majority of them it was performed during life, and many of the patients survived for years this rude surgical attempt. The study by the two writers above named sets forth the details of the procedure with fulness and considers at length the purposes for which it was performed. They conclude that it was magical rather than surgical in its intention, designed perhaps to give escape to the evil spirit of disease, or the imagined foreign body which prevented the patient's regaining his health. It formed part of the thaumaturgic treatment of the medicine men or native shamans. This conclusion will recommend itself to most who have examined the theories of primitive therapeutics.

Following this, there is a carefully studied article by Cosmos Mindeleff on the Ruins of the Cañon De Chelly in Arizona. He surveyed and excavated these ruins thoroughly, and his illustrations are accurate and ample. The group itself does not offer any peculiarity distinguishing it from the general class of pueblo ruins. He is inclined to the belief that all this architecture—which he pronounces to be of a very low class, hardly deserving to be called architecture as an art—is of local origin, and a growth of the demands of the environment in which it is found. The tribes who dwelt in these rude structures were sometimes akin in language and blood to the wild Indians of the plains north of them. There seems to have been little or no progress in the technical procedure; and we find about the same skill, or lack of skill, displayed in the most recent as in the oldest houses. As to the antiquity of pueblo building, their great number at first induces one to believe that it was vast; but this again is explained by the instability of the population, constantly driven from place to place by warring enemies. The general tenor of Mr. Mindeleff's conclusion is to diminish the value of the pueblo culture in American archaeology.

The title of the next following paper is "The Day Symbols of the Mayan Year," by Professor Cyrus Thomas. It is well known that the same religious calendar prevailed throughout southern Mexico and portions of Central America, based on a recurrent series of twenty days. Each one of these days had a name, by which it was mentioned in the religious rituals and the time-counts. Professor Thomas gives these names in five languages, and undertakes to explain their meaning and the relation in which they stood to the figures or hieroglyphs which the Mayas of Central America employed to designate the days. While rejecting many of the suggestions of earlier writers, he concedes in a general way that most of the names for each day in all five languages express allied ideas. In several passages he appears inclined to introduce the theory peculiarly his own that this calendar was derived from that of the Polynesians. Apart from this eccentricity, and the tendency to seek extreme phonetic meanings of some of the glyphs, the treatise is one meriting high commendation. It presents in a compendious manner to the reader the result of all the researches up to the present day on this central question

of the strange and intricate Mexican and Central American calendar systems.

The Report closes with a paper on Tusayan Snake Ceremonies by Jesse Walter Fewkes. It is amply illustrated and presents such an accurate and faithful delineation of ritual as we are accustomed to find in the writings of this careful student. He has some concluding remarks on the secret meaning of these ceremonies, and compares them with the snake dances of other American tribes.

In concluding this hasty survey of these two large volumes, we are impressed with the general excellence of the papers they enclose. They compare advantageously with any publication of a similar character in Europe. They are free from wild theorizing or fixed prejudices, and they present the result of original observation and careful independent study. All who are interested in the subjects which they discuss will earnestly hope that our central government will continue to appropriate generously to the support of the Bureau of Ethnology.

D. G. Brinton.

The Coronado Expedition, 1540–1542. By George Parker Winship. [Extract from the Fourteenth Annual Report of the Bureau of Ethnology.] (Washington: Government Printing Office. 1896 [1897.] Pp. 329–613, pls. xxxviii–lxxxiv.)

There has recently been brought to completion at the national capital the most beautiful structure on the American continent designed as a repository for books. The mural decorations of the Library of Congress are a marvel of beauty, and among them are emblazoned the names of many of the makers of American history and culture. Among the earlier explorers the names of Columbus, Vespucci, Balboa, Magellan, Narvaez, Cabeza de Vaca, De Soto, Ayllon, Cabrillo, Cortez, Pizarro, La Salle, Marquette, Cabot, Champlain and others of lesser note are prominently represented; but one looks in vain for the name of the leader of the most pretentious expedition that ever trod American soil—an expedition which led to the discovery of the Grand Canyon of the Colorado, the Rio Grande, and the great plains with their teeming herds of bison, and which conquered the even then far-famed "Seven Cities of Cibola."

It is somewhat strange that so little has apparently been known of Francisco Vasquez de Coronado, for one of his letters, as well as the narrative of the contemporaneous voyage of the fleet under Alarcon up the Gulf of California and the mouth of the Rio Colorado, appears in Hakluyt's *Voyages*, while Ramusio, Herrera and other chroniclers of the sixteenth and seventeenth centuries recorded the same and other documents bearing on the expedition, thus giving comparatively ready access to at least a part of the history of Coronado's marvelous undertaking. That which makes the lack of general knowledge of the expedition even more strange is the fact that the principal narrative of the expedition was translated from the Spanish into French and published as late as 1838

by Henri Ternaux-Compans in his well-known *Voyages, Relations et Mémoires*. This is the *relacion* of Pedro de Castañeda de Najera, who followed the fortunes, or rather the misfortunes, of the expedition evidently in the capacity of a private soldier. Within the last decade the excellent historical work of Bandelier has added a vast amount of information to the previously meagre knowledge of the Coronado explorations.

From the importance of the Coronado expedition, which opened the way to the subsequent colonization of the unknown territory between Culiacan in western central Mexico and the great plains of eastern New Mexico, Texas, Oklahoma and Kansas, Mr. Winship's memoir, which is by far the most exhaustive and most readily accessible account of the journey, is a genuine contribution to western American history.

The first part of the work comprises an historical introduction which gives in elaborate detail the causes of the expedition. The condition of affairs in New Spain during the early half of the sixteenth century, the remarkable wanderings of Cabeza de Vaca and his companions, and the journey of Friar Marcos de Niza to Cibola which resulted in the discovery of Arizona and the death of the negro Estevan at Zuñi, are all carefully described. A summary of the organization and equipment of the Coronado expedition is next given, and the fortunes of the explorer are faithfully followed from the time the great army started on its journey to an unknown part of a little known world, until their return, two years later, to the city of Mexico. The text is illustrated with elaborate notes —bibliographic, ethnologic and historical—giving greater value to an already highly valuable and delightful introduction. And yet to the criti cal student that which follows is the most valuable of all; not alone because these chronicles of Coronado's enterprise are brought together in convenient form from many obscure sources (one of them indeed not hitherto having been published), but also because the copies have been so carefully made and translated with such fidelity.

The first document is the narrative of Castañeda, the most important because the most detailed of all. The original manuscript, or more properly a copy of the original made at Seville in 1596, is now in the Lenox Library, New York City, and is the one used by Mr. Winship and previously by Ternaux, the latter of whom not only rendered the language of the original accounts with great freedom, but in several cases failed to understand what the original writer endeavored to relate. It is due to this that a number of writers on southwestern history have made serious, but under the circumstances quite excusable, blunders. The Spanish text is immediately followed by Mr. Winship's excellent English translation.

Next follow translations of the letters from Mendoza to the king, April 17, 1540, and from Coronado to Mendoza, August 3, 1540; the *Traslado de las Nuevas;* the *Relacion postrera de Sivola*, in both Spanish and English, which is printed for the first time through the courtesy of the late Joaquin Garcia Icazbalceta of Mexico City; the letter from

Coronado to the king, October 20, 1541; a translation of the important narrative of Jaramillo, one of Coronado's officers; the report of Hernando de Alvardo, also of Coronado's command, and a translation of the "Testimony concerning those who went on the expedition," which throws much light on the causes which led to these noteworthy explorations.

The memoir closes with a "List of works useful to the student of the Coronado expedition" which, while it does not presume to be a bibliography of southwestern history, is doubtless the best list of works on that section yet brought together.

Students of the most interesting corner of our country may congratulate themselves that one of their number has performed so well a task which will at last give them access to a historical treasure. It will be the fault of neither Mr. Winship nor the Bureau of Ethnology if the coming generation know no more of the foremost makers of American history than those who were responsible for the glaring omission from the Congressional Library roll of honor. F. W. H.

The New England Primer. A History of its Origin and Development, with a reprint of the unique copy of the earliest known edition, and many fac-simile illustrations and reproductions. Edited by Paul Leicester Ford. (New York: Dodd, Mead and Co. 1897. Pp. xiii, 354.)

In this publication Mr. Ford has made an important contribution to the early history of education in America. The authorship of the *New England Primer*, the sources of its component parts, and the alterations made in various editions, are treated fully and critically in the introduction. The "Little Bible of New England," as it has been aptly called, has influenced, probably more than any other elementary book for children, the character and creed of many leading actors in our country's history. For a century and a half it was one of the first books put into the hands of children, not only in New England, but even in the Middle Colonies. It was also printed abroad, in England and in Scotland, for the use of children there. It is stated that one Boston bookseller printed in 1757 an edition of 10,000 copies, and it is known that Franklin and Hall printed over 37,000 copies at Philadelphia between 1749 and 1766, yet of all the numerous editions that were issued in New England and elsewhere scarcely a vestige can now be found. The oldest copy known dates at least thirty-seven years after the first edition appeared, and but two other editions are entered in Mr. Ford's bibliography prior to that of 1761.

There were "A B C" books and "Primers" of the Church of Rome printed even in the fifteenth century, and similar publications in English from the time of Henry VIII., but the combination of alphabet lessons and catechism had its origin among the nonconformists, the earliest instance of the kind cited by Mr. Ford being dated 1591. In New England the

early settlers had their own views on catechizing, and by 1684 a dozen different catechisms were in use in the chief towns, the best known being Cotton's *Milk for Babes* and the Assembly's *Shorter Catechism*. About the year 1685, one Benjamin Harris, a London bookseller who wrote and published ballads and popular literature, compiled and printed an elementary book for children entitled *The Protestant Tutor*, which seems to have been the earliest prototype of the New England Primer. In 1686 he came to New England, and set up a shop in Boston, where about the year 1690 he brought out the first edition of the Primer. Its success must have been immediate, for in the almanac for 1691 there was announced "A Second Impression of the New England Primer enlarged, to which is added, more Directions for Spelling; the Prayer of K. Edward the 6th. and Verses made by Mr. Rogers the Martyr, left as a Legacy to his Children." Harris returned to London in 1695, where he issued other editions of the Primer under various titles.

The basis of Mr. Ford's book is the Primer of 1727, which is here completely reproduced in facsimile from the original in the Lenox collection. Following it, as Appendix I., is a reprint, also in facsimile, of the British Museum copy of *The New English Tutor Enlarged*, printed without doubt by Harris in Queen Anne's reign (1702–1714), and which is identical in many respects with the New England Primer. Appendix II. is a facsimile reprint, from the original in the Bodleian Library, of John (or Mathew) Rogers's "Exhortation unto his Children," in its oldest printed form, as appended to John Bradford's *Complaynt of Veritie*, 1559. Then come Cotton Mather's "Views on Catechising," from his three-fold catechism of 1708: the Rev. Dorus Clarke's address on "Saying the Catechism," 1878; and several pages in facsimile of the *Holy Bible in Verse*, from the edition of 1717 in the Lenox collection. The latter publication was also from the pen of Benjamin Harris, and it is illustrated with woodcuts identical with those of the Primer. The bibliography (Appendix VI.) covers the years 1727 to 1799, and describes with care thirty-eight extant editions, most of which are known only by single copies. Following this list are extracts from advertisements and other sources referring to other editions between 1690 and 1786. The "Variorum of the New England Primer," in Appendix VII., is an analysis of the Primer's contents, indicating under each one of the parts those editions, prior to 1776, in which it may be found. Such pieces as are not found in the Primer of 1727 and in the *New English Tutor* are reprinted here. The book contains twenty-nine plates in heliotype and facsimile, among which are reproductions of the earliest advertisement of the Primer in 1690, the fragment of an edition printed by William Bradford between 1688 and 1700, and several title-pages, frontispieces and alphabet cuts. A good index closes the volume.

It will thus be seen that Mr. Ford has spared no pains in bringing together whatever material would help to illustrate the subject. The publisher has been equally successful in the style and make-up of the book.

WILBERFORCE EAMES.

Some Aspects of the Religious Life of New England, with special reference to Congregationalists. By GEORGE LEON WALKER, D.D. (Boston: Silver, Burdett and Co. 1897. Pp. 208.)

A VERY interesting volume, consisting of lectures delivered before the Hartford Theological Seminary, viz. The Puritan Period, 1620–1660; the Puritan Decline, 1660–1735; The Great Awakening and its Sequels, 1735–1790; The Evangelical Reawakening, 1790–1859; The Current Period, 1859–1896.

The author treats the religious life in men and women, and not in institutions, setting forth what they felt, as distinguished from what they did. Though the New England Puritans gave a new "ecclesiastical setting" to religion they did not modify its essential English forms. They emphasized: I. Divine Sovereignty, II. Human Helplessness, III. Willingness to be lost, powerfully originated by Hooker and ultimately developed by Hopkins, IV. Microscopic personal introspection, V. Reverence for scripture. All this would have driven each one crazy, had not the outward activities of new, colonial life kept them all in busy health. The constant menace of Satan, who held them closely environed, tended in the same direction. Our author puts the Devil to very respectable and useful work. He maintains that the resulting life was cheerful; like all Puritan apologists, begging this question.

In the second or declining period, he recognizes the outcome of that narrow spirit, which persecuted Quakers and Baptists. He holds the Half-Way Covenant (p. 61) chiefly responsible for the decay of the larger religious life. The study of doctrines declined and mere ecclesiastical observances rose in value. The stigmatized "Arminian Moralities," though welcomed sometimes, were needed yet more.

Dr. Walker treats the whole popular mood and habitude of mind, that breaks out in revivals, with judicious temperance. He admits the necessity which called for a Whitefield and calmly reveals the defective results of that tremendous upheaval. It was literally the coming of a prophet, and in Nathan Cole's account (pp. 89–92) there is a bit of Homeric prose, "a sweet sollome Solemnity sat upon his brow, and my hearing him preach gave me a heart wound." Discussion and more mature reflection established the type of "New England Theology." Arminianism gathered strength and the emotional value of Methodism gets notice.

As the eighteenth century waned, something more effective was needed than the crude liberalism hitherto prevailing. The Unitarian movement and in another connection the rise of Universalism are intelligently and courteously stated. Next to these, the Hopkinsian doctrine (p. 133) or "New Divinity" was the most important influence.

The way is not so clear in the "Current Period," for we are too near the rise and fall of the waves. The lust for wealth is criticised and the immense power of modern voluntary organization (p. 170) is acknowledged. This latter force in some degree compensates the loss of a constant sense of sin in the individual. Some perplexing confessions follow

(pp. 174–175); "the Congregational churches have rejected the Half-way Covenant theory . . . are generally admitting to full communion a membership" which is described as worse. "Congregationalism to-day in reference to this matter is being worked on Episcopalian principles." This is embarrassing, but we do not wish to aggravate the difficulties of evangelical ministers, obliged to revamp medieval doctrines and fit them to modern life.

A more legitimate criticism would remark our author's neglect of the tendency toward liturgical expression and the growth of ritualism. It is significant, that while the Congregationalists, Orthodox and Unitarian, virtually controlled New England in the second quarter of our century, both branches of that church have since been surpassed by Episcopacy. Dr. Walker hardly notices the influence of the Baptists, with their sturdy independence and close reliance on Scripture. But his failure to account for the drift toward Episcopacy is more important. The Puritans so constrained the religious life on its æsthetic side, that their descendants turned to any more beautiful expression of faith. Sometimes they took up poor stuff.

The book is the work of a sincere scholar, who knows his subject—of an earnest minister, who feels the rush of modern life as it is borne in upon the churches; while cast in the form of lectures, it is based on strict investigation, with references. Hence it has historic value.

WM. B. WEEDEN.

The Literary History of the American Revolution, 1763–1783. By MOSES COIT TYLER. Volume II. 1776–1783. (New York: G. P. Putnam's Sons. 1897. Pp. xix, 527.)

THE second volume of Professor Tyler's work materially modifies certain criticisms that were made against the earlier volume in the REVIEW for July, by treating of Hutchinson, Franklin and other writers; and while we cannot but feel that they fall into the earlier period rather than into the later, the fact that they are adequately discussed is the important point, without very much regard to whether they are accorded an early place or a late one. Every writer must recognize that there is a certain proportion in every book, which results from the mind of the maker of the book, which will rarely seem correct to any other student. Thus, in the present work, it seems to us that the fifteen pages accorded to Samuel Adams, and the twenty-three pages accorded to Franklin, are very disproportionate to the relative importance of the writings of the two men. Granting that Adams' newspaper articles had their influence in Massachusetts, though one must search far to find even this, yet nothing that he wrote attained any real reputation, and scarcely a line of his ever got beyond the colonial boundary of Massachusetts. Franklin's writings, on the contrary, were really international; were translated and retranslated, and many of them have been printed over and over again. A selection of his published writings has been reprinted more than a hun-

dred times, and the same is true of his "Poor Richard" and his autobiography. Samuel Adams, the man, was a potent force and filled a large space in the public mind as a shrewd managing politician, with a position very much akin to that occupied to-day by Richard Croker; but Samuel Adams, the writer, made no more reputation than the average journalist of to-day, who can write ably on the current topics of the moment, and whose writings perish almost as quickly as they are written.

We think a tendency of the author shown throughout the present volumes is toward a too great reliance on modern collections of Revolutionary literature, such as Frank Moore's *Diary of the Revolution*, the same writer's *Songs and Ballads of the American Revolution*, his *Patriot Preachers*, Thornton's *Pulpit of the American Revolution* and Winthrop Sargent's valuable works, and we think this reliance produces here and there a certain triteness. Those collections, except Sargent's, are very inadequate, and even his could be very much enlarged. An omission, which is perhaps more in the nature of an oversight, is the neglect of the Revolutionary oration, and this is the more surprising because James Spear Loring's collection of *One Hundred Boston Orators* has made a number of orations as easy of consultation as the before-mentioned compilations of Revolutionary poems and sermons. We think a résumé of the series delivered in commemoration of the Boston Massacre, and also of those in annual celebration of the Declaration of Independence should have been included. Still more important was Rev. William Smith's *Oration on Montgomery*, delivered by request of the Continental Congress, which obtained such a popularity as to have at least six editions, yet which Congress refused to print, and John Adams declared an "insolent performance," an oration which, for some reason, is not even mentioned in the account of Smith in the present volume.

It should have been noted in connection with Franklin's *Examination*, of which the author says that it "shows his marvellous presence of mind under the shower of questions that were rained upon him in the House of Commons," that his examination was the device of the Opposition, and that the questions were concocted between Franklin and those opposed to the Stamp Act, and indeed was not very different from a well known subterfuge of to-day, by which certain men supply the press with interviews in which they answer the questions they propound to themselves. Mention, too, might have been made of the fact that this was the first American political pamphlet which really broke through colonial boundaries, it having been printed not merely in London, but in Philadelphia, New York, Boston, New London and Williamsburg.

In the discussion of Thomas Paine we think attention might have been called to the fact that Paine denied the authorship of everything in the pamphlet entitled *Additions to Common Sense*, a fact the more important as some of that volume has been included in the latest edition of Paine's writings. Mention, too, should certainly have been made of the fact that Paine later became the pensioned writer, first, of the French minister, and second, of the Morris interest, for otherwise his writings

between 1778 and 1783 cannot be judged from a correct standpoint. The title of the very popular *Crisis*, as Professor Tyler infers, was unquestionably taken from the English periodical of that name, published, until suppressed, in numbers in 1775–6. At least four editions of this were reprinted and circulated in America in a typographical form later imitated exactly by Paine's publication.

Though a number of the journals of Whigs in the Revolution are introduced, many more might have been, but even if the author considered that he had given sufficient examples of them, it would have been well to have included an obverse by introducing the diaries of the loyalists, Curwen, Ithiel Town and Van Schaack. In the consideration of histories, some notice should have been taken of Belknap's *History of New Hampshire*. Nor does the omission of George Chalmers seem excusable, even though it is consistent with a similar treatment of Huske, Bollan and others, for Chalmers's two historical works are unquestionably the best histories of their kind written in the eighteenth century on this country. It can be urged, of course, that the author was English born, and wrote his books in Great Britain. But Boucher, who was far less prominent and far less able, to whom much space is given, was English born, and like Chalmers, was driven forth at the outbreak of war.

PAUL L. FORD.

Archives of Maryland. Journal and Correspondence of the Council of Safety, January 1–March 20, 1777. Journal and Correspondence of the State Council, March 20, 1777–March 28, 1778. Edited by WILLIAM HAND BROWNE. (Baltimore: Maryland Historical Society. 1897. Pp. viii, 591.)

THIS is the sixteenth volume in the series of *Archives of Maryland*, the publication of which, under the direction of the Maryland Historical Society, was authorized by the state in 1882. The present volume completes the records of the Council of Safety, which were begun in the twelfth volume and continued in the thirteenth, the last two making their appearance in 1892–1893 (*Journal of the Maryland Convention*, July 26–August 14, 1775, *Journal and Correspondence of the Maryland Council of Safety*, August 29, 1775–July 6, 1776, pp. 585; *Journal and Correspondence of the Maryland Council of Safety*, July 7–December 31, 1776, pp. 595.) The *Archives* have hitherto appeared in a somewhat irregular order; but the interruption of the publication of the Proceedings of the General Assembly, of the Council, and of the Records of the Provincial Court, for the appearance of the Sharpe Correspondence and the Journal and Correspondence of the Council of Safety, is doubtless to be explained by a demand for the early printing of the revolutionary and pre-revolutionary documents. It is a source of regret that the meagre appropriation of the state prevents the early completion of a work, which is proving of the greatest value to students of Maryland history.

In 1774 Maryland, in common with the other colonies, was brought face to face with the necessity of yielding up her political freedom, or casting in her lot with those urgent for resistance to British oppression, whatever the consequences. The Boston Port Bill and other British measures of the year aroused the colonies and caused a renewal of the non-importation agreements. Steps were now taken which rapidly transformed Maryland from a British dependency into a sovereign state. The Provincial Convention assembled for the first time on June 22, 1774, under Matthew Tilghman as chairman. Resolutions were passed protesting against the acts of the British Parliament, urging non-intercourse; and delegates were appointed to the first general Congress at Philadelphia, September, 1774. Other conventions were held at frequent intervals from that time until the close of 1776, assumed control of provincial affairs with as little disturbance of existing conditions as possible, and made provision for the common defense of the province and the colonies. In order to provide a permanent executive power, the convention of July, 1775, appointed a Council of Safety, to exercise the chief functions of the convention during the intervals between sessions. The council consisted of sixteen members, eight from each shore, any nine to constitute a quorum; some further changes in the council were made later. Committees of Observation in each county co-operated with the Council of Safety. Among the members of the council, we note the names of Matthew Tilghman, William Paca, Thomas Stone, Samuel Chase, Charles Carroll of Carrollton, Thomas Johnson, and Daniel of St. Thomas Jenifer, who was chosen President of the Council and who afterwards served his state ably in the Federal Convention. Maryland was indeed fortunate in her choice of political leaders. Trying times were these, and the weighty problems of the hour demanded the exercise of the wise counsels, sound judgments, and temperate conversatism of her best men. Great credit is due the members of the council for their courteous treatment of Governor Eden, the last of the proprietary governors, whose authority had been superseded; for its resistance to the pretentious claims of Virginia to the northwest territory; and its suppression of the Tory element in the southern counties. The letters of General Smallwood, who had charge of this latter task, give much interesting information on this point. The moderation that characterized the conduct of Maryland's revolutionary government is particularly noteworthy.

The present publication is an exact reproduction of the original MSS. of the Archives, abbreviations, errors, spelling and all. The minutes and correspondence are combined and arranged in chronological order. The originals, the collection of which is nearly complete, are in the custody of the Maryland Historical Society, and the comparatively few omissions are supplied by later copies of the originals. The complete records of the council cover the period from August 29, 1775, to March 20, 1777, and together with Green's previously published *Proceedings of the Conventions of Maryland*, give the student a good documentary equipment for the study of the most important epoch in Maryland history. On

the latter date, the Council of Safety gave place to the new Council of State, its successor under the new state constitution and the first part of whose records are likewise published in this volume for the first time. Everywhere are evidences of the minute and accurate scholarship of the editor. The print is excellent and the pages are not encumbered or disfigured with notes, such as are necessary being combined together on a leaf following the preface. Marginal references indicate the sources of the documents appearing in the volume and whether originals or copies. Two indexes accompany the volume, one to names of persons and places, the other to letters. These are quite complete, but we note the absence of the serviceable "Topical Index" which occurs in earlier volumes, and for the absence of which no explanation is given.

J. Wm. Black.

Constitutional Studies, State and Federal. By James Schouler, LL.D. (New York: Dodd, Mead and Co. 1897. Pp. 332.)

In this volume Mr. Schouler has sought "to trace the origin and progress of those political ideas which have become dominant and fundamental in American government." He bases his thesis on the colonial charters, the state constitutions and the Constitution of the United States, with frequent reference to leading decisions of the courts. The book contains the substance of lectures delivered before the graduate students of the Johns Hopkins University during the years 1893–1896.

Like other books by Mr. Schouler, this is badly written. It is unfortunate that a man so learned as Mr. Schouler will not or cannot say a plain thing plainly. The book from cover to cover is a blur of thought and expression. This is severe language, but it is fully warranted by these constitutional studies. Much of the fault in form and language might be avoided if Mr. Schouler would employ a skillful reader to revise his manuscript for the press. Mr. Schouler seems never to have heard of that law stated by Herbert Spencer in his *Philosophy of Style*: "To so present ideas that they may be apprehended with the least possible mental effort."

It is rarely that academic lectures are worth printing. They usually contain much elementary matter familiar to general readers, and seldom any special information. If they do not smell of the lamp they smell of the class-room, and it is an odor fatal to a book. Contributions to knowledge may take the form of lectures to university students. Blackstone and Dicey at once occur to the mind as such contributors, but theirs is the art of expressing technical knowledge in readable form. Dicey's English is as clear as Cardinal Newman's. The only hope that a writer and publisher of college lectures can have is to express his ideas in a piece of literature; then it will be read even though its contents are already familiar to persons of ordinary information.

In Part I. Mr. Schouler briefly reviews the early charters in order to show that they recognized the fundamental civil rights of the colonists. This is rather broad construction, but it is the usually accepted American

interpretation of these royal grants. Probably no other set of royal permits has had such a mass of political theory read into them. Mr. Schouler is satisfied with an interpretation of the language of these documents; he has nothing to say of the economic necessities of the colonists which dictated a political practice equal in authority with the charters and at last supplanted them. Mr. Schouler has told us nothing new and has omitted to tell us much that is deducible from colonial legislation and practice and from no other source. A slight examination of the acts of assemblies down to 1776 would have enabled Mr. Schouler to make this portion of his volume of interest to specialists. Part II. discusses the federal union. Here familiar information is given, such as may be heard in any college in the country that offers a course in American history. His chapter on the federal union is in substance a paraphrase of the national constitution, supported by citations of leading cases in the Supreme Court. Such a treatment of the subject may be heard in most senior classes now-a-days. His account of the "Early Tendencies to Union" omits reference to eight of the early federal plans, and fails to distinguish between the two distinct principles that underlay all the plans: the principle of a military and that of a civil system. He fails to show that it was the supremacy of the civil over the military authority that distinguished the system ultimately adopted in this country.

It is difficult now to add anything new to the traditional discussion of the national instrument. But Mr. Schouler might have varied the treatment by showing the economic importance of the constitution among the various plans of government which the world has tried. His adherence to a merely legal exposition, and that elementary, accounts doubtless for the omission. But it is precisely as an industrial opportunity that the national constitution is chiefly important. It is an outline of a plan of government to secure industrial as well as political rights. This is not suggested by Mr. Schouler. Perhaps the omission is due to changes in constitutional studies which have escaped his attention. The old law-school treatment of the constitution has quite disappeared from university instruction. Government is an organism, not a mere compact. The fate of humanity rests with a greater power than a court of law. No one will presume to dispute the authority of the court; but we also know that the constitution is interpreted by other agencies. Mr. Schouler gives no hint of that mass of industrial exposition, recorded in part in the legislation of the country, and in larger measure in the practice of the people. The American Union is more than a mere agreement among lawyers; it is an organic union and the constitution takes its meaning from the will of the organism. Even as a legal exposition of the constitution this by Mr. Schouler does not excel that to be found in elementary text-books on civil government.

In Part III. Mr. Schouler discusses the state constitutions since 1789; those prior are discussed in Part I. Mr. Schouler is to be commended for including these instruments in his lectures. They are usually omitted in collegiate instruction. He finds the text of most of them in

Poore, *i. e.*, down to 1876. His discussion is in the nature of a catalogue of facts gleaned from the texts themselves. He tells what terms of office, what suffrage qualifications, what limitations of legislative power, what executive powers are set forth in these instruments. But as in other parts of his lectures, he fails to tell what the fairly well-informed man wants to know. There is no hint of the method of constitutional development which these constitutions illustrate. Not a reference is given to the only source of information on the making of these supreme laws: the debates, journals and documents of the constitutional conventions. Nor is there any account of the acts of assembly which ultimately are incorporated in these constitutions. Mr. Schouler has made an interesting but incomplete tabulation of facts from the texts of these instruments, but he fails to clothe these facts with living tissue. The effect of this inadequate treatment is apparent. It robs the book of all interest to the specialist and lessens its general value to the student.

Probably Mr. Schouler has never made an exhaustive study of the state constitutions. At least this is an inference from his treatment of them. The field has been but slightly cultivated, and much in the extent but not in the style of Mr. Schouler. The forty-five states have adopted one hundred and twelve constitutions. The journals, debates and documents containing the official record of their formation comprise about four hundred volumes. The number of pamphlets is great. Upwards of six hundred may be found devoted to the Rhode Island constitution of 1842. It may be said, however, that the number in other states does not present so serious an inverse proportion to the size of the state. In addition to documents and pamphlets there is a mass of legislation bearing on representation, the franchise, terms of office, distribution of powers, education, public institutions, taxation, corporations and public lands scattered through the volumes of state laws. These volumes number about four thousand.

Mr. Schouler's discussion of these state constitutions amounts to little more than an arbitrary classification of the instruments. Some belong to the "Era of Federalism;" others to the "Republican Era;" the "Era of Peaceful Development;" the "Era of Strife;" the era of "Civil War and Reconstruction;" and the "New Era." All this is fanciful and easy and is quite such a division as a writer makes when he touches a theme slightly and for the first time.

Mr. Schouler might have shown that the state constitutions are the record, both conscious and unconscious, of the evolution of popular government in America. They closely represent the efforts of the American people to secure what, from time to time, they have considered their "rights;" and by rights is to be understood far more than the formulation in technical language of terms of office, salaries, and civil qualifications. Behind this mass of form is the struggle of the people to have life and property protected and to secure the opportunity to make a living. Of these patient and sometimes unsuccessful efforts, Mr. Schouler gives slight accounts.

However helpful these lectures may have been to the students to whom they were originally delivered, they contain little that warrants their publication. A perusal of them compels the conclusion that they are commonplace and badly written.

F. N. T.

Recent events in the East have been of such a character as to arouse a keen interest in all matters pertaining to Mohammedanism, so that there was a special timeliness in the lectures of Professor Henry Preserved Smith delivered at the Union Theological School last spring on the Ely foundation. These lectures, ten in number, Professor Smith has published under the title *The Bible and Islam, or the Influence of the Old and New Testaments on the Religion of Mohammed* (New York, Charles Scribner's Sons, pp. 319). The titles of these lectures are, respectively, as follows: The Apostle of Allah, The Common Basis in Heathenism, The Koran Narratives, The Doctrine of God, The Divine Government, Revelation and Prophecy, Sin and Salvation, The Service of God, The Future Life, Church and State.

Professor Smith is fully aware "that the Islam of to-day is in many respects different from the Islam which emerged from the wilderness twelve centuries ago," and, therefore, he limits himself to a consideration of its beginnings and still further to an examination of the influence which Judaism and Christianity have exercised upon it. It is Professor Smith's conclusion that Mohammed owes the impulse which fired his soul to Christianity and not to Judaism. Reference must be made to the book itself for the arguments advanced by the author in support of his position. The spirit in which he has conducted his investigations is admirable. He has made good use of his sources, and, while the subject is such that there would inevitably be a difference of opinion as to conclusions in some matters of detail, the book may be recommended as a valuable account of those aspects of Islam with which it deals. The usefulness of the work would be increased by the addition of an analytical index, and indexes of passages quoted from the Bible and the Koran.

J. R. J.

Mr. Arthur Hassall's *Handbook of European History, 476–1871* (New York, The Macmillan Co., pp. 383), is the result of an effort to do for European history what Acland and Ransome's *Outlines* does for English history, and the arrangement would seem to have been suggested by the plan of that book. The outlines are arranged chronologically in four parallel columns, two larger ones for Germany and France, respectively, a smaller one for England, and a similar one for Eastern, Southern and Northern Europe. The column for France leaves little to be desired; that for England, considering the space devoted to it, is also satisfactory, though for England alone one will still find Acland and Ransome much more useful. The column headed Germany is made to do duty for the whole of German Europe, and occasionally for other countries where Ger-

man influence happened to predominate. Consequently this portion necessarily lacks unity. In the column headed "Eastern, Southern and Northern Europe" no unity is of course attempted, though once in a while it is taken possession of by Italy, or perhaps Sweden or the Netherlands, and becomes the most important column of the four. Its chief usefulness will be merely to call to mind the most prominent events contemporaneous with the French, German or English period under view. In comparison with Ploetz's *Epitome* the outlines are sometimes fuller and more satisfactory, but Ploetz is not superseded. There are numerous brief genealogies interspersed through the work, and notes upon special topics. Part II. consists of larger genealogies, of summaries and lists of sovereigns. There is no index. While history does not arrange itself in four columns, there is a certain advantage in having the chief events of a period before the eye at once, and the manual will doubtless prove useful.

The new edition of Bishop Stubbs's *Registrum Sacrum Anglicanum, an Attempt to exhibit the Course of Episcopal Succession in England* (Oxford, Clarendon Press, pp. 248), does not differ so greatly from the first edition (1858), as its size and appearance might at first glance suggest. The most noticeable change is in the abandonment of the tabular arrangement. The date and the name of the bishop are printed in heavy-faced type, the see or sees follow, and after this the names of the consecrators and place of consecration, together with references to authorities and any needful explanation. The author has fully availed himself of his opportunities during these forty years to make verifications and corrections, but remarkably few corrections have been found necessary. Some uncertain dates have been fixed, the explanatory matter has been here and there enlarged, and references have been made to printed authorities which forty years ago were manuscript only. In the spelling of Anglo-Saxon names considerable changes occur. On the other hand, the systematic list of authorities contained in the first edition has been omitted in the new, and no list explanatory of abbreviations is given. While the former may not now be so necessary, with the fuller references in the body of the text, the absence of the latter will be a real inconvenience to many. Finally, a very important addition has been made in the shape of an appendix, prepared by Canon E. E. Holmes, giving a complete list of the consecrations of Indian, colonial and missionary bishops. The whole book has, of course, been brought down to the present year.

A volume of *Selections from the First Nine Books of the Croniche Fiorentine of Giovanni Villani* (Westminster, Archibald Constable, pp. xlviii, 461), intended chiefly for the use of students of Dante, bears the names of Miss Rose E. Selfe as translator and of Mr. Philip H. Wicksteed as editor. The editor has selected the passages and written the introduction. Their intention has been to translate all the passages from the first nine books of Villani's chronicle which are likely to be of direct interest and value to the student of Dante. Marginal references

to the works of Dante have been inserted in abundance. Since the chapters selected are generally translated entire, and since the headings of the omitted chapters are given in their order, the student who also wishes to get a fuller notion of Villani can do so. The chapters are so selected as to present the atmosphere in which Dante lived, the political conflicts in which he was engaged, the events and persons with which he deals, and what Villani has to say of the poet's own life. The result is an exceedingly interesting volume. The introduction is well executed.

The first volume of the new series of the *Register of the Members of St. Mary Magdalen College, Oxford*, edited by Mr. W. D. Macray and continuing the series edited by Dr. J. R. Bloxam, was published in 1894. It dealt with the fellows from the foundation of the college to the year 1520. The second volume is now published (London, Henry Frowde, pp. 231). It covers the years from 1522 to 1575. Mr. Macray first prints an exceedingly interesting series of extracts from the registers and the bursar's accounts for those years, in which the life of the college under the Tudors receives abundant illustration. The fellows are then taken up in chronological order, and their lives, unless previously given in Dr. Bloxam's account of the demies, are presented with minute care, according to materials printed and manuscript. One of the most interesting matters is that of the appointment of Dr. Nicholas Bond as president in 1589. The fellows of that date submitted to royal dictation in a manner which strongly contrasts with the spirited course pursued by the fellows of 1687, and which indeed constituted an embarrassing precedent for the latter. An appendix presents the text of two inventories of chapel vestments and ornaments, dated 1481 and 1486. Another gives details regarding books in the library which bear evidence as to ownership or donorship. The book represents an immense amount of affectionate labor on the part of the editor, bestowed for the honor of his ancient and famous society, and is of substantial worth to the student of the history of universities.

Professor Richard Lodge has contributed a valuable little biography of *Richelieu* to the Foreign Statesman Series (The Macmillan Co., 1896). His task, indeed, was not especially difficult, for the publication of Richelieu's letters and state papers under the able editorship of the Vicomte d'Avenel has made it possible to follow both the internal and the foreign policy of the great cardinal with singular accuracy. M. D'Avenel, further, has supplemented his learned prefaces to the volumes of Richelieu's papers by an elaborate work on *Richelieu et la Monarchie Absolue*, while M. Hanotaux has in the first volume of what promises to be the definitive life of Richelieu treated with singular ability the story of the cardinal's youth and early career. With such guides, Professor Lodge could not go far wrong. But he deserves great credit for the judicious manner in which he has handled the authorities he follows, and it may safely be said that his volume is the most useful summary in the English language to place in the hands of students who desire to get a

clear idea of the personality and of the work of the great French statesman of the seventeenth century.

H. M. S.

The *Journal of Sir George Rooke*, Admiral of the Fleet 1700–1702, edited by Oscar Browning, constitutes the ninth volume published by the Navy Records Society. The MS. has been in use from the time of Campbell to the present, and the publication, therefore, has little that is novel about it, and that little (the editor's work) is rather accurate than new. Nor does it possess the general interest that Captain Martin's story did. The Journal must, nevertheless, prove of interest and of some value to the student of naval and diplomatic history. Two incidents in the war of the Spanish succession, the expedition to the Sound in 1700, and the attack on Cadiz and on Vigo in 1702, are the subjects of the narrative. Material for the settlement of the old question recently reviewed by Arthur Parnell as to the culpability of Rooke is not afforded; they are, however, official notices relative to the naval constitution on pages 133 and 253 which should be compared with the demands of the reformers of the navy put forth in such contemporary pamphlets as Everett's *Encouragement for Seamen* and the *Inquiry into the Causes of our Naval Miscarriages*. The spirited letters, too, of the Prince of Hesse, the military representative of Austria in Spain, will be read with interest (pp. 200–207).

The editor appears to us to have interpreted his office somewhat narrowly. His work consists of a careful introductory narrative of the Danish episode, based upon the MS. correspondence of Mr. Robinson, envoy at the Court of Stockholm, and of the Cadiz-Vigo expedition, but without criticism or comment upon the details of those events or their general significance. Without looking for a life of Admiral Rooke or a review of former biographies, one might reasonably expect a brief rehearsal of the old question of Rooke's conduct at Cadiz and a review of the contemporary narratives of all these events. Throughout the Journal we are reminded of the great lack of published diplomatic correspondence. Surely some one will undertake to do for the Foreign Office what the Navy Records Society is doing so admirably for the Admiralty.

W. D. J.

Mr. James Eugene Farmer's *Essays on French History* (G. P. Putnam's Sons, pp. 120) deserve more attention than their title seems to demand. The little volume contains two essays carefully studied from original authorities, on the Rise of the Reformation in France and on the Club of the Jacobins respectively. They are not mere studies from secondary authorities, written for writing's sake, but contain ample evidence of serious work among the best primary sources. This does not imply that they are valuable contributions to historical knowledge. What Mr. Farmer has done is to study over again in the light of recently published material two interesting subjects in French history and to make acceptable in the English language the results of recent research in Ger-

many and in France. The less important of the two essays is the one upon the beginnings of the Reformation movement in France, because on this subject he has not so much newly published material to deal with. He describes with skill the figure of the first of French reformers, of the old Paris professor, who weakened towards his latter days and did not earn the crown of martyrdom, Jacques Lefèvre d'Étaples, or as he called himself in Latin, Jacobus Faber Stapulensis. In his second essay, on the Jacobin Club, Mr. Farmer has wisely relied upon M. Aulard's elaborate volumes of documents. Aulard's work is, of course, well-known to all students of the history of the French Revolution, but the new light which he has thrown upon the organization and early history of the Jacobin Club has not yet been incorporated in modern histories of the French Revolution. Mr. Farmer's essay has, therefore, a distinct right to exist, and although its life may not be long, for the information contained in it will inevitably find its way into more general histories, the author has shown himself capable of excellent work, which gives great promise for the future. H. M. S.

The great popularity achieved by the numerous volumes of personal reminiscences which have been lately appearing in France, dealing with the period of the First Empire, is shown by the steady succession of translations of the most interesting among them into English. The memoirs of Marbot, as translated by that prince of translators from the French, Mr. A. J. Butler, won as great success in England and America as in France, and leading publishers, understanding that the Napoleon craze is not confined to France, but has spread over the civilized world, have followed up the translation of Marbot by other handsome volumes. Most notable among these is Mr. A. J. Butler's translation and condensation of the memoirs of Thiébault (*The Memoirs of Baron Thiébault*, translated and condensed by Arthur John Butler, in two volumes; New York: The Macmillan Co.). Something was said of the value of Thiébault with regard to the period of the Directory in an article published in the AMERICAN HISTORICAL REVIEW (I. 487–488), and it may be added here that the memoirs increase in interest, if anything, for the period of the Empire. But Thiébault is a long way from being a second Marbot. Though full of good stories and written from the point of view of an eye-witness, the five closely printed volumes in French become a little tedious, and Mr. Butler has, by skillful compression, made the book distinctly more readable. The general's personality, with its touches of vanity and simplicity combined, stands out clearly and much new light is thrown upon the history of the Napoleonic wars and especially upon the causes of the failure of the French in the Peninsular campaigns. Only less interesting than the memoirs of Thiébault are the memoirs of General Lejeune, which have also recently appeared in English dress (*Memoirs of Baron Lejeune*, Aide-de-camp to Marshals Berthier, Davoust, and Oudinot, translated and edited from the original French by Mrs. Arthur Bell [N. D'Anvers], in two volumes, Longmans, Green and Co.). These

memoirs were reviewed at the time of their publication with other personal reminiscences on the wars of Napoleon in the AMERICAN HISTORICAL REVIEW (I. 726–731), and it need only be stated here that the translation seems as worthy of the original as a translation can be. Mrs. Bell is not indeed such an expert at the work as Mr. A. J. Butler, but for those who, unfortunately for themselves, are unable to read French, her version should prove quite satisfactory. Last on the present list is to be noticed a translation of the delightful recollections of Oudinot, written by his second wife (*Memoirs of Marshal Oudinot, Duc de Reggio*, compiled from the hitherto unpublished souvenirs of the Duchesse de Reggio by Gaston Stiegler, and now first translated into English by Alexander Teixeira de Mattos; New York: D. Appleton and Co.). Oudinot was one of the true heroes of the First Empire. He won his fame by constant service in all the great campaigns of the Emperor Napoleon, and although he never distinguished himself in an independent command he showed himself, throughout, a soldier of unrivalled courage and unblemished honor. The young bride whom he wedded in January, 1812, on the eve of the disastrous invasion of Russia, seems to have worshipped her gallant husband, and her recollections of him were recorded by her in a charming little volume which it seems almost desecration to submit to the ordeal of translation into English. This is not meant to imply any great inferiority in the translator's skill, but yet, somehow, the graceful and womanly style of the Duchesse de Reggio seems to have suffered more in its passage into the English language than the anecdotic egotism of Thiébault or the airy good-humor of Lejeune.

H. M. S.

The Balkans, by William Miller, M. A. [Story of the Nations Series] (Putnams, pp. 468), is one of the poorest among the nearly fifty volumes which make up a generally excellent series. The author had indeed the difficult task of narrating four distinct histories—those of Bulgaria, Montenegro, Roumania and Servia—in the space of 468 duodecimo pages. Hence the book is composed of four distinct parts of nearly equal length, connected only by the bookbinder's art. Brevity left small room for details not absolutely essential. At the same time none of the four presented such a mass of historic material as to overwhelm the writer by difficulty of selection.

The author writes with that insular prejudice which regards the Eastern Christians as an inferior race and gives small consideration to the causes stunting their development. Probably no people would have endured their terrible ordeal of centuries better than these four peoples have done. The Bulgarians especially have maintained to a remarkable degree the solid virtues of their character. The book brings out the fact that, except in very recent times, they have hardly known what self-government is. Without traditions to guide them and with no personal though remote experience to which to appeal, they have been launched on the sea of political independence. The part dealing with Montenegro is the least unsatisfactory portion of the book.

The writer's sensitiveness to Russia is almost amusing. Constantly on the lookout for a Russian, he always finds or hears one or has a creepy sense of one's being near. With a microscope he seems peering for benefactions conferred by the British government on Southeastern Europe, and narrates almost with glee that in 1829 "an Englishman had prophesied to the natives that England would sympathize with them in their struggle to be free."

The style is generally good, but sometimes slovenly. At the beginning the Balkan states are elegantly likened to a "cockpit;" "gang" is a frequent term to describe a group, and "united together" is the usual expression for united. Sultan Murad is called "Amurath" and Sultan Bayezid "Bajazet." Instead of Mussulmans we have "Mohammedans," a common but improper term. Rumors and scandal are credulously accepted as facts; inaccuracies in dates are frequent and prejudice supplies the place of judgment. Of the contemporary history of those states we are afforded a distorted and often erroneous view. The index is good. So are some of the pictures, and there is a sufficiently detailed map.

E. A. G.

In the Story of the Nations series have been published a few really valuable contributions to historical knowledge based upon the study of original authorities, many useful summaries of national history, many convenient, popular histories, which succeed in satisfying the general reader, though they are devoid of real value, and some absolutely trashy productions, which rate the intelligence of the general reader at a very low mark indeed. Among the recent volumes in this series is the *Story of British India* by R. W. Frazer (G. P. Putnam's Sons, pp. 399). This book can certainly not be ranked among valuable contributions to history, nor indeed, to do the author justice, does he claim any great degree of historical merit. But it is far from being the worst book upon its subject. Of course it cannot rank with Sir Alfred Lyall's *The Rise of the British Dominion in India*, nor with the historical chapters in Sir W. W. Hunter's *Brief History of the Indian Peoples*. Neither in knowledge nor in style can Mr. Frazer be ranked with the two great authorities on Indian matters whose books have been mentioned, and he must expect to appeal, therefore, to a class of readers who may be more attracted by the illustrations with which his volume is filled than by anything else. As far as material is concerned, Mr. Frazer has followed worthy masters and he duly acknowledges his obligations in his preface. He has, however, followed Sir W. W. Hunter a little too closely in the matter of arrangement and perspective. In a book which, if it has any *raison d'être*, should be more devoted to the picturesque side of history than to the simply descriptive, it might be thought that the statistical chapter of nearly forty pages might have been omitted, and an account given instead of that most picturesque period in the history of the British merchants in India which covers the latter part of the seventeenth and the beginning of the eighteenth century. It is hardly credible that Mr.

Frazer should have thought it wise to omit, as he has done, all mention of Sir John Child, who so stoutly resisted the Emperor Aurangzeb, and of brave old Thomas Pitt, the grandfather of Lord Chatham, whose defense of Madras should have at least been mentioned. Such omissions form a distinct blemish on the book. The style further is not to be commended; it abounds in flowery passages which are not eloquent, as for instance on page 234. Nor are the facts always correct y stated, as witness the sentences devoted to the English East India Company on page 47. H. M. S.

The publication of the anonymous *Lettre d'un Habitant de Louisbourg*, with an English translation by Professor George M. Wrong (Toronto, William Briggs, 1897, pp. 74), makes a valuable addition to the printed materials upon the siege of Louisbourg. Copies of the original edition of the letter are extremely rare. Parkman had a copy made of the volume in the Bibliothèque Nationale in Paris for use in writing *A Half Century of Conflict*, and in the appendix to Vol. II. printed large portions of it. But it is now for the first time made accessible in its entirety. The letter is valuable as being the only unofficial account of the siege, from the French standpoint, in existence. It is all the more interesting because the author, while a Frenchman, makes bitter complaint against his own people and accuses the French officers of gross negligence.

A contribution of some value to the history of the Northwest is *The Gladwin Manuscripts, with an Introduction and a Sketch of the Conspiracy of Pontiac*, by Charles Moore (Lansing, Mich., Robert Smith Printing Co., pp. 603–687—reprinted from the *Michigan Pioneer and Historical Collections*, Vol. XXVII.). The facts in regard to Gladwin's career have been gathered partly from the Haldimand and Bouquet collections, but chiefly from the descendants of Gladwin in England. When all is told it is not a great deal, but we are glad to learn what we can of the man who stoutly held Detroit against such great odds. The running account of the conspiracy of Pontiac and the siege of Detroit is not particularly valuable, as there is little divergence from the story of Parkman. In his reference to the manuscripts of the collection the author neglects to specify either pages or documents. The manuscripts, most of which have not been printed before, were obtained from the sources mentioned above. They consist of letters from commandants of subordinate posts, declarations of individuals, courts of inquiry, etc., and one or two letters of Gladwin. They add something of fact and detail, but do not enlarge in important particulars our knowledge of those sieges.

From the office of James B. Lyon, the state printer for New York, at Albany, come five bulky volumes containing the *Colonial Laws of New York* from the grant to the Duke of York in 1664 to the last act of the colonial legislature prior to the Revolution. This bears the date of April 3, 1775. Besides the statutes enacted by the colonial legislatures, these pages contain the charters of the colony and of the cities of Albany

and New York, the commissions and instructions to colonial governors, "the Duke's Laws," and the laws enacted by the Dongan and Leisler assemblies. In the first volume is inserted a brief historical note by Robert C. Cumming, which traces the history of the organs and powers of provincial government in the colony under English rule.

The work has been performed under the supervision of the New York Commissioners of Statutory Revision, who are charged with the general revision of the laws of the state. The responsible editor and compiler is, however, Mr. Cumming, who is the chief clerk of the commission. He has collected the material for this work from a variety of sources, published and unpublished, and nothing seems to have escaped his search. He has prefixed to each document a note of bibliographical reference with dates of enactment. It would have been an additional convenience to the student if the editor had placed at the top or side of each page a series of running titles, showing the chapter, date and gubernatorial reference to the text that streams over the pages below. The work of printing, proofreading and indexing has been accurately done. The index includes the name of each person mentioned in the legislation of more than a century, a work for which genealogical enthusiasts will be grateful.

These volumes form a useful pendant to Dr. O'Callaghan's great collection of documents. Their contents will be more serviceable to the historical student than to the lawyer, for in 1828 the state legislature expressly repealed all colonial statutes. The more important historical documents herein comprised have been in print for a long time, but it was certainly fitting to include them in the complete record of colonial legislation. Ample provision seems to have been made by the legislature of the state for a generous distribution of these volumes to libraries and learned societies.

Professor James Monroe, of Oberlin College, has gathered into a volume of *Oberlin Thursday Lectures, Addresses and Essays* (Oberlin, E. J. Goodrich, pp. 373) ten or eleven modest contributions to American history, most of which were written for delivery before the students of his own college. They were well adapted for such a purpose. Almost all are based upon the author's recollections of his own experiences as a youthful worker in the anti-slavery cause, as a member of the legislature of Ohio in the fifties, as United States consul at Rio Janeiro during the Civil War, and as a congressman after the war. The experiences of the author were not extraordinary, and his reflections upon them are sensible rather than profound. They are made from the special point of view of a college professor, of unworldly temper yet shrewd and humorous. The narratives, especially those of the earlier days traversed, aid in constructing a life-like mental picture of political society in the Western Reserve forty or fifty years ago. The spirit in which these things are presented is admirable, for the author, a constant Abolitionist and Republican, takes the utmost pains to be fair to all opponents, with an impartiality growing partly out of his charitable disposition and partly out of his good sense and appreciation of the humorous.

NOTES AND NEWS

Wilhelm Wattenbach died on September 20, aged nearly 78. He was universally regarded as one of the most eminent of the older generation of German historical students, especially in the departments of medieval *Kulturgeschichte* and palaeography. Born in 1819, he began in 1843 a connection with the *Monumenta Germaniae Historica* which did not terminate until 1888, when he resigned the presidency of its board of directors. While provincial archivist in Breslau he published, in 1858, the first edition of his *Deutschlands Geschichtsquellen im Mittelalter*, of which the sixth edition was issued in 1893. From 1862 to 1873 he was a professor at Heidelberg, and in 1871 published his well-known work on *Das Schriftwesen des Mittelalters*. Later books in the same field were his *Anleitung zur lateinischen Paläographie* and *Anleitung zur griechischen Paläographie*. In 1873 he was called to Berlin as professor of the sciences auxiliary to history. He was active in the Prussian Academy, in the direction of the Prussian Institute in Rome, in the work of the Historical Commission of the Munich Academy, and in the completion of the series of *Geschichtschreiber der deutschen Vorzeit*.

Don Pascual de Gayángos died on October 4. He was born in 1809 and pursued his studies in France and England. From 1836 to 1843 he again resided in England. During this period he translated Ticknor's *History of Spanish Literature* into Spanish and Al Makkari's *History of the Mahommedan Dynasties in Spain* into English. From 1847 to 1872 he was professor of oriental languages in the University of Madrid. He rendered great assistance to Prescott and other foreign scholars who occupied themselves with the history of Spain. The great work of his life was the continuation of Bergenroth's *Calendar of Letters, Despatches, and State Papers relating to the Negotiations between England and Spain, preserved in the Archives at Simancas and elsewhere*. To this series Gayángos contributed eight volumes (1873–1895), which cover with minute completeness the period from 1525 to 1542. He also prepared the British Museum catalogue of Spanish manuscripts, four volumes (1851–1893). He also made large contributions to Spanish historical literature, more especially the *Memorial Historico Español* in nineteen volumes, and eight volumes contributed to the Sociedad de Bibliófilos Españoles.

Dr. Franz Xaver von Wegele, professor at Würzburg, died on October 16, aged seventy-three. He had been for forty years a professor in the University of Würzburg. His leading book was his excellent and laborious *Geschichte der deutschen Historiographie seit dem Auftreten des Humanismus* (1885). He was also joint editor with Baron Rochus von

Liliencron of the *Allgemeine Deutsche Biographie*, published by the Historical Commission of the Munich Academy.

Dr. John Stoughton, one of the most eminent of the non-conformist divines of England, died on October 24, aged eighty-nine. He was the author of a *History of Religion in England from the Opening of the Long Parliament to the End of the Eighteenth Century*, in six volumes (1867–1882), and of a work of similar title covering the first half of the present century (1884), works marked by learning, breadth of view and catholicity of spirit.

Dr. George Frederick Holmes, who for many years had been professor of history in the University of Virginia, died on November 4. Born in British Guiana in 1820, he was educated at the University of Durham, England, and in 1842 was admitted to the bar of South Carolina. Before his service at Charlottesville he had held professorships at Richmond College and at the College of William and Mary, and had been president of the University of Mississippi. He published little, but was of note as a teacher.

Adolf Ditlev Jœrgensen, the eminent Danish historian, died in Copenhagen on October 5. He was for some years keeper of the public records of the kingdom, and was author of many historical works, the latest being his *Peter Griffenfeld*. In the forthcoming co-operative *Danmarks Riges Historia* he was to have written the history of the most modern period.

Sir Peter LePage Renouf, who from 1885 to 1891 was keeper of the Egyptian and Assyrian antiquities in the British Museum, died on October 15, aged 74. In 1879 he published his Hibbert Lectures on *The Religion of Ancient Egypt*. In 1890 he published, with an elaborate introduction, a splendid fac-simile of the Papyrus Ani.

The American Historical Association holds its thirteenth annual meeting at Cleveland on December 28–30. The committee on the programme has wisely arranged for a diminution in the number of papers read and an increase of discussion of practical problems. The extent to which undergraduate students may be trained in the use of sources, the general problem of the teaching of history in schools, the opportunities for American students of history in Europe, the relation of the teaching of economic history to the teaching of political economy, and the work of state and local historical societies, are among the subjects to be taken into consideration in these conferences.

Part X. of the Clarendon Press *Historical Atlas of Modern Europe*, edited by Dr. R. L. Poole, contains a map of Poland and Lithuania before the Union of Lublin in 1569, by R. Nisbet Bain; one of northern France in 1066, by James Tait; and one of Italy in the Lombard period, 568–774, by Professor J. B. Bury. Part XI. gives a map of Europe after the Peace of Westphalia, by C. Oman; one of Hungary, 998–1382,

by Mr. Bain ; and one of northern Italy in the fourteenth and fifteenth centuries, by Miss K. D. Ewart. Part XII. contains a map of "Germania Sacra," by the editor, illustrating the ecclesiastical divisions in the Middle Ages ; one of Poland after the Union of Lublin, by Mr. Bain, with side-maps showing the results of the partitions of 1793 and 1795 ; and one of Italy after the Peace of Lodi, 1454, by Miss Ewart, with a small map showing the growth of the Florentine state in the fourteenth and fifteenth centuries. Part XIII. contains a map of Europe in the time of Otto the Great, by the editor ; one of Germany under the Hohenstaufen, by the same ; and a plate containing several maps showing the growth of the House of Savoy in Italy from 1418 to 1859, by Miss Ewart.

The Society for Promoting Christian Knowledge are issuing a *Historical Church Atlas*, edited by Mr. Edmund M'Clure. It is intended to illustrate the history of eastern and western Christendom until the Reformation, and that of the Anglican Communion until the present day. The atlas contains eighteen colored maps and some fifty sketch maps in the text.

ANCIENT HISTORY.

The American Branch of the Egypt Exploration Fund appeals for contributions to be applied to the publication of the Oxyrhynchus papyri, as well as to the conducting of further explorations. All subscribers to the amount of five dollars or more will receive the publications of the Fund. Contributions should be sent to Mr. Francis C. Foster, 59 Temple Street, Boston.

Mr. Bernard P. Grenfell has contributed to the *Archaeological Report of the Egypt Exploration Fund*, 1896–97, an account of the excavations which he and Mr. A. S. Hunt conducted at Behnesa (Oxyrhynchus). The report is published by Mr. Henry Frowde.

The last *Quarterly Statement* of the Palestine Exploration Fund (October) contains the final report on the excavations conducted at Jerusalem by the American archaeologist, Dr. Frederick J. Bliss.

Canon Rawlinson's translation of Herodotus has been issued by Mr. John Murray in a cheaper form, in two small volumes, edited by Mr. A. J. Grant. The appendices have been omitted and the notes abridged.

The Macmillan Co. announce a *History of Greece for High Schools and Academies*, by Dr. George Willis Botsford, instructor in Greek and Roman history in Harvard University. The attempt will be made to present more of the history of Greek civilization than is usual in such manuals.

Noteworthy articles in periodicals: R. Pöhlmann, *Die Anfänge des Sozialismus in Europa* (Historische Zeitschrift, LXXIX. 3) ; R. Dareste, *Histoire du Droit Privé de la RépubliqueAthénienne* (Journal des Savants, June, July); A. Bouché-Leclercq, *Le Règne de Seleucus II. Callinicus et*

la Critique Historique (Revue des Universités du Midi, July, September); O. Hirschfeld, *Decimus Clodius Albinus* (Historische Zeitschrift, LXXIX. 3); A. Bouché-Leclercq, *L'Astrologie dans le Monde Romain* (Revue Historique, November); P. Aulard, *La Jeunesse de l'Empereur Julien* (Revue des Questions Historiques, October).

EARLY CHURCH HISTORY.

The latest issue in the *Texte und Untersuchungen zur Geschichte der altchristlichen Literatur* published by the Prussian Academy's committee on the Fathers is a treatise by Dr. Wilhelm Haller on Jovinianus, in which the fragments of that writer are printed, and his life, sources and doctrines are carefully considered (Leipzig, J. C. Hinrichs, pp. 159).

The Rev. Dr. Benjamin B. Warfield's volume entitled *Two Studies in the History of Doctrine* (New York, Christian Literature Co., pp. 239) consists of an essay on Augustine and the Pelagian controversy, and another on the development of the doctrine of infant salvation.

MEDIEVAL HISTORY.

Dr. Felix Dahn makes a beginning of the eighth volume of his *Könige der Germanen* (which bears the sub-title *Die Franken unter den Karolingern*) by printing a preliminary survey of the political history of the Frankish kingdom from 613 to 843 (Leipzig, Breitkopf und Härtel, pp. 108).

Macmillan's series of *Periods of European History* is now nearly completed. The volume for the period 918–1272, by Professor T. F. Tout, of Victoria University, Manchester, has just been issued.

Mr. David Nutt will soon publish an accurate reprint of Caxton's translation of *Reynard the Fox*. It will be prefixed by an exhaustive introduction by Mr. Joseph Jacobs, tracing the intricate literary history of the story.

Professor George L. Burr makes an admirable contribution to the series of *Translations and Reprints from the Original Sources of European History* published by the University of Pennsylvania, by his small but illustrative and well-edited collection on The Witch Persecutions.

MODERN EUROPEAN HISTORY.

Messrs. F. Vander Haeghen, R. Vanden Berghe and Th. I. Arnold have begun the publication of an elaborate *Bibliotheca Erasmiana; Bibliographie des Œuvres d'Érasme*. The first part, devoted simply to the *Adagia*, makes a book of 579 pages (Ghent, C. Vyt).

Dr. Anton Pieper has just published the first instalment of an elaborate work dealing with the papal diplomacy of modern times: *Die päpstlichen Legaten und Nuntien in Deutschland, Frankreich und Spanien seit der Mitte des 16. Jahrhunderts*. This first part (Münster, Aschendorff, pp. 218) is occupied with the legates and nuncios of Julius III., Marcellus II. and Paul IV. (1550–1559) and their instructions.

The most recent additions to the Foreign Statesmen Series are Major Martin A. S. Hume's *Philip II.* (Macmillan, pp. 267), well worthy of being read and digested by every student of Prescott and Motley; Mr. Frederic Harrison's *William the Silent* (pp. 260); and Dr. Thomas Hodgkin's *Charles the Great.*

The second volume of Alfred Stern's *Geschichte Europas seit den Verträgen von 1815 bis zum Frankfurter Frieden von 1871* has appeared (Berlin, Besser, pp. 572).

Noteworthy articles in periodicals: C. Mirbt, *Ignatius von Loyola* (Historische Zeitschrift, LXXX.1); E. Armstrong, *Venetian Despatches on the Armada and its Results* (English Historical Review, October); H. F. Brown, *Paolo Sarpi* (Scottish Review, October).

GREAT BRITAIN.

The British government has brought out Vol. XVI. (1588) of the *Acts of the Privy Council*, edited by Mr. J. R. Dasent; the *Calendar of the Patent Rolls of Edward IV.*, 1461–1467; *Calendars of State Papers, Domestic*, Charles I., Vol. XXIII., containing addenda extending through the whole reign; *Calendars, Domestic*, Charles II., Vol. XII., 1671–1672; and Appendix V. to the *Fifteenth Report of the Historical Manuscripts Commission.* The latter consists of a calendar of the MSS. of the Right Hon. F. J. Savile Foljambe of Osberton, of which the most important portions are a body of papers illustrating the history of the navy, and an important section of the correspondence between James II. and the Prince of Orange.

In Vol. LII. (Shearman to Smirke) of the *Dictionary of National Biography* there are but three articles of high importance to the student of history: Sheridan, by Mr. Fraser Rae; Algernon Sidney, by Mr. C. H. Firth; and Sir Philip Sidney, by Mr. Sidney Lee.

A part of Dr. F. Liebermann's *Gesetze der Angelsachsen* (Vol. I., Text and Translation, Part I., pp. 191) has been brought out by the Savigny-Stiftung and is published by Niemeyer, of Halle.

Mr. W. G. Searle has prepared an *Onomasticon Anglo-Saxonicum*, or list of Anglo-Saxon proper names from the time of Bede to that of King John, which is published by the Cambridge University Press.

Mr. Gwenogvryn Evans, of Oxford, will soon issue several interesting volumes of old Welsh texts, including an autotype fac-simile of the oldest Welsh manuscript (*circa* 1200) of the Laws of Howel Dha, and another of the oldest Latin manuscript (*circa* 1180) of these laws. They will be accompanied by a print of the text and an English translation. An autotype fac-simile of the book of Taliesin will soon follow.

The first edition of Mr. Andrew Tuer's *History of the Horn-Book* having run out of print, a popular one-volume edition is now announced by the publishers, the Leadenhall Press.

An elaborate *History of Renaissance Architecture in England*, 1500–

1800, by Mr. Reginald Bloomfield, of Exeter College, Oxford, is published by the Macmillan Co. (two vols., pp. 431). There is a great abundance of illustrations, nearly two hundred and fifty, mostly from drawings by the author.

Messrs. Longmans' series of "Builders of Greater Britain" is begun by the publication of Major Martin A. S. Hume's *Sir Walter Raleigh and the British Dominion of the West* (pp. 431).

Mr. J. H. Hessels has brought out (Cambridge University Press) the third volume of his *Archivum Londino-Batavae Ecclesiae*, published at the expense of the authorities of the Dutch church in London.

The Scottish History Society have in preparation the first volume of *The Papers relating to the Scots Brigade at the Hague*, and the first volume of *The Montreuil Correspondence*, eighty letters written from Edinburgh in 1647 and 1648.

In the spring Messrs. Goupil and Company will publish *Charles I.* by the late Sir John Skelton. The work was finished and revised before the death of the author. The book will have elaborate illustrations, especially from the royal collections in Windsor and Buckingham palaces.

Mrs. Dorothea Townshend has published an interesting little memoir entitled *Life and Letters of Mr. Endymion Porter, sometime Gentleman of the Bed-chamber to King Charles I.* (London, Fisher Unwin, pp. 260.)

Mr. Samuel Rawson Gardiner has agreed to edit for the Navy Records Society the state papers, Dutch and English, relating to the Dutch wars of the Commonwealth.

A life of Sir George Savile, first marquis of Halifax, is announced for publication by Messrs. Longmans, Green and Co.

The Duke of Buccleuch has placed at the disposal of Sir William Fraser the historical documents at Drumlanrig Castle, containing the correspondence of the first Duke of Queensberry when commissioner to the Scottish Parliament in 1685.

A book which should have a certain interest for American readers is Mr. G. Williams's *History of Liverpool Privateers and Letters of Marque, and Account of the Liverpool Slave Trade* (London, Heinemann, pp. 734).

The Earl of Camperdown has been for some time engaged upon a life of the first earl, Admiral Duncan, which is now on the point of publication.

A select bibliography of the battle of Trafalgar is published in *Literature* for October 23.

Mr. Stuart Reid is writing a biography of the first Earl of Durham, expected to throw much new light on the policy of Lord Durham during his mission to Canada in 1838. Important manuscript materials written by Lady Durham and by Charles Buller have been placed at the disposal of Mr. Reid.

The biography of Henry Reeve, who for nearly half a century held an important post in the Privy Council Office, and who was for many years editor of the *Edinburgh Review*, is announced for publication, and should contain much material of importance relating especially to the political history of the period from 1840 to 1865.

Noteworthy articles in periodicals: F. W. Maitland, *Canon Law in England; William of Drogheda and the Universal Ordinary* (English Historical Review, October); J. R. Tanner, *The Administration of the Navy from the Restoration to the Revolution*, II. (English Historical Review, October); J. H. Rose, *The Unstamped Press, 1815–1836* (ibid).

FRANCE.

Since by the official statement the Bibliothèque Nationale on the first of January, 1897, contained 468,000 volumes of history, of which 279,000 were of French history, it cannot be out of place for a historical journal to take notice of the bibliographical fact that the first volume of the *Catalogue Général du Département des Imprimés* has at length been published.

Professor George B. Adams's *The Growth of the French Nation* is henceforward to be published by the Macmillan Co.

The Société de l'Histoire de France has published the ninth volume of M. A. de Ruble's edition of the *Histoire Universelle* of Agrippa d'Aubigné, the tenth volume of M. G. Raynaud's edition of Froissart (in which he has succeeded M. Siméon Luce), and the twelfth volume of M. Ludovic Lalanne's *Brantôme*, containing the editor's general account of Brantôme's life and writings.

A series of *Extraits des Historiens Français du XIX^e^ Siècle*, with an introduction on the history of France and with notes, by M. Camille Jullian, is published by Hachette (pp. cxxviii, 684).

M. Maurice Prou's *La Gaule Mérovingienne* (Paris, May) is an unpretending book, intended for popular use, but written with full knowledge by a specialist, and containing much that is the result of original investigations.

A reign which has been but very little known and, it seems, largely misunderstood, that of Philip V., has been made by M. Paul Lehugeur the subject of a thorough and intelligent investigation. The first volume of his *Histoire de Philippe le Long* (Paris, Hachette) deals with the external aspects of the reign, the relations of the Crown to foreign powers and to the chief forces within the state. The second will describe the internal administration.

The latest addition to the list of publications resulting from the opening of the Vatican archives is a series of *Documents Pontificaux* relating to the province of Gascony. The enterprise is undertaken by the Société des Archives Historiques de la Gascogne, and is largely subsidized by the archbishops and bishops of old Gascony. A beginning is made with the pontificate of John XXII., himself a Cahorsin. The first volume, edited by Abbé L. Guérard, extends from 1316 to 1322.

The municipal archives of Bordeaux were almost entirely destroyed by fire in 1862. But a vast body of extracts from the registers of its *jurade*, extending from 1540 to 1783, had been accumulated by the archivists in the last century, and these were preserved. The city has now entered on the task of publishing them in ten or a dozen volumes, under the editorial care of M. Dast Le Vacher de Boisville, *Inventaire Sommaire des Régistres de la Jurade, de 1540 à 1783* (Bordeaux, Gounouilhou). The mayor of Montpellier and the dean of its university, MM. Berthelé and Castets, are acting as joint editors of an analytical inventory of the archives of that city which the municipality has begun to publish. The city's archives contain many of the papers of the Estates of Languedoc, anciently deposited there.

M. F. Aulard has published the tenth volume of his *Recueil des Actes du Comité de Salut Public* (January 1–February 8, 1794) and Vol. VI. of his documents of the Jacobins, March–November, 1794, completing the work.

M. Frédéric Masson has brought out (Paris, Borel) a volume entitled *Marie Walewska*, in which are published a number of the letters written by Napoleon I. to the Countess Walewska.

The Duke de Broglie has published a volume of historical essays entitled *Histoire et Politique* (Paris, Calmann Lévy). Noteworthy among them are one on the formation of the constitution of 1875, one which reviews the conduct of the Third Republic, especially in the matter of diplomacy, and one on 1815, a criticism of M. H. Houssaye's book on that year.

During the present month MM. Plon, Nourrit and Co. will publish a memoir of the Duke of Aumâle, by M. Ernest Daudet.

Madame Darmesteter (A. Mary F. Robinson) has published a small but important volume entitled *The Life of Ernest Renan* (London, Methuen, pp. 290), with whom she and her husband enjoyed long continued intimacy.

Noteworthy articles in periodicals: Comte L. Rioult de Neuville, *Le Duc de Richelieu et les premières Années de la Restauration* (Revue des Questions Historiques, October); Marquis de Gabriac, *Chateaubriand Ministre des Affaires Étrangères* (Revue des Deux Mondes, October 1, November 1).

ITALY, SPAIN.

The publisher F. Vallardi, of Milan, has begun the issue, in parts, of a comprehensive and elaborate *Storia Politica d'Italia*. The pre-Roman period will be treated by Professor Ed. Brizio, Roman history by Professor Francesco Bertolini, and later portions by Messrs. Gianani, Romano, Orsi, Callegari, Franchetti, de Castro and Giovagnoli.

The corporation formed to take charge of the Casa Buonarroti at Florence, a house which belonged to Michelangelo, and which his

descendants had made a museum and archive of material relating to him, have now resolved to print the collection of 800 letters, written to and by Michelangelo, contained in the house. The Commendatore G. Biagi, prefect of the Laurentian library, is to edit the letters, which extend from 1506 to 1564, and are reported to be of much importance.

Ludwig Pastor's treatment of Savonarola in the third volume of his *Geschichte der Päpste* is the subject of a critical monograph by Signor Paolo Luotto, entitled *Il Vero Savonarola ed il Savonarola di L. Pastor* (Florence, Le Monnier).

L'Italia degli Italiani, the important history of Italy from 1849 to 1870, by Carlo Tivaroni, is now completed by the publication of the third volume (Turin: Roux, Frassati and Co.), in which the author brings his narrative down to the acquisition of Rome, and adds biographies of the chief men of the period.

Under the title *Autobiografia di un Veterano*, the house of Zanichelli, at Bologna, have published the first volume of the historical memoirs of General Enrico Della Rocca, extending from 1807 to 1859 (pp. 500). These memoirs, dictated by General Della Rocca at the age of 86 years, convey an exceedingly interesting picture of Charles Albert and of the earlier days of Victor Emmanuel. Della Rocca began his career at the age of nine, as a page of Charles Albert, and was closely associated with both monarchs. The second and final volume of the memoirs will be published within a year.

A volume of reminiscences by Madame Julia White Mario, dealing with the period of the revolutionary movement in Italy, is announced for publication by Messrs. Fisher Unwin, of London.

The third volume of Signor Luigi Chiala's *Pagine di Storia Contemporanea* is now presented in a new and enlarged edition, containing four additional chapters, dealing with the first period of the Triple Alliance, its renewals in 1887 and 1891, and, lastly, the Triple Alliance face to face with the Dual Alliance, 1891–1897 (Turin: Roux, Frassati and Co., pp. 738).

Mr. H. Butler Clarke's *The Cid Campeador and the Waning of the Crescent in the West*, in the series of "Heroes of the Nations" (Putnams), represents the endeavor of an accomplished English scholar, long resident upon the edge of Spain, to present the historical facts relating to the Cid in a correct manner after critical investigation.

GERMANY, AUSTRIA, SWITZERLAND.

A Historical Commission for Hesse and Waldeck has been established at Marburg. Among the publications which it contemplates are: the registers of the landgraves of Hesse down to Philip the Magnanimous, the chronicles of Hesse and Waldeck from the fourteenth to the sixteenth century, the acts of the provincial Estates of Hesse, a cartulary of Fulda, etc.

The latest addition to the quarto *Monumenta Germaniae Historica* is a new part of Boretius and Krause's *Capitularia Regum Francorum*, tomi II. pars 3 (pp. 471–726).

The Historical Commission connected with the Munich Academy has added to the series of *Jahrbücher der deutschen Geschichte* its second volume for Frederick II., embracing the years 1228–1233 (Leipzig, Duncker und Humblot, pp. 529).

In their *Bibliothek deutscher Geschichte* the firm of J. G. Cotta, of Stuttgart, have completed the first volume of *Deutsche Geschichte im Zeitalter der Hohenstaufen*, by Drs. J. Jastrow and J. Winter, and the first volume of Dr. Hans von Zwiedineck-Südenhorst's *Deutsche Geschichte von der Auflösung des alten bis zur Errichtung des neuen Kaiserreiches*. The former (pp. 644) extends from 1125 to 1190, the latter (pp. 623) from 1806 to 1815.

Both family and court, administration and politics are treated in Dr. Hans Prutz's *Aus des Grossen Kurfürsten letzten Jahren* (Berlin, G. Reimer, pp. 410.)

The first number of the *Quellen und Forschungen aus italienischen Archiven und Bibliotheken*, published by the Prussian Historical Institute in Rome (Rome, E. Loescher, pp. 164), contains articles on the papal household at Avignon, by I. Haller, on Felician Ninguarda's reformatory endeavors in Bavaria and Austria, 1572–1577, by K. Schellhass, on the Prussian court in 1797, according to a Spanish envoy there, by G. Kupke, and a despatch of Aleanders, 1520.

Theodor von Bernhardi's diaries for the years 1866 and 1867 have been published at Leipzig by S. Hirzel under the title *Der Krieg 1866 gegen Oesterreich und seine unmittelbaren Folgen.*

Moltke's Militärische Correspondenz is now completed by the publication of the third volume, covering the period from the suspension of hostilities in the spring of 1871 to the final evacuation of French territory in the autumn of 1873 (Berlin, R. Mittler und Sohn). General von Verdy du Vernois's account of the same war, translated from the German, has been printed as the first volume of the Wolseley Series, *With the Royal Headquarters in 1870–'71* (London, Kegan Paul, pp. 284).

Johannes Penzler is bringing out in a series of five considerable volumes a work entitled *Fürst Bismarck nach seine Entlassung* (Leipzig, Fiedler), which follows closely the diary kept by the prince at Friedrichsruhe, and has practically the value of an autobiography. Three volumes have now appeared (Leipzig, W. Fiedler), extending to the middle of the year 1892.

The life of the Archduke Albert, who died in 1895, has been written by Karl von Duncker (Vienna, F. Tempsky), who has had access to the unpublished writings and letters of the archduke and the military records of the empire.

M. Émile Rivoire has published, as Vols. XXVI. and XXVII. of the *Mémoires et Documents* of the Société d'Histoire et d'Archéologie of Geneva, a *Bibliographie Historique de Genève au XVIII^e Siècle* (Geneva, Jullien, two vols., pp. 586, 509). The work is, it will be seen, one of unusual completeness, and it is clear in plan and excellent in execution.

Noteworthy articles in periodicals: E. Brandenburg, *Der Regensburger Vertrag zwischen den Habsburgern und Moritz von Sachsen, 1546* (Historische Zeitschrift, LXXX. 1); H. Grimm, *Ernst Curtius und Heinrich von Treitschke* (Cosmopolis, October); J. W. Headlam, *Heinrich von Treitschke* (English Historical Review, October); G. Blondel, *Le Congrès des Historiens Allemands à Innsbruck et la Science d'Histoire en Allemagne* (Revue Historique, November).

NETHERLANDS.

The firm of Frederik Muller and Co., of Amsterdam, intend to issue during this year, in photolithographic fac-simile, Abel Tasman's journal of his expedition of 1642–1643, in which he discovered Van Diemen's Land and New Zealand. It will be accompanied by an English translation of the journal and of the Dutch East India Company's instructions for this voyage and for that of 1644, in which Tasman made a partial exploration of Australia, and by an exhaustive study his of life and labors by Dr. J. E. Heeres. Tasman's fifty-three drawings and charts will be included in the fac-simile, and the volume will make an elaborate folio of about 425 pages.

The Historisch Genootschap at Utrecht has published the first volume of the papers of Hans Bontemantel, burgomaster of Amsterdam to 1672, edited by Mr. Kernkamp; a contribution of much importance to the history of the Republic and its internal conflicts.

R. Friese, of Leipzig, is the publisher of an important work by Oskar Nachod on *Die Beziehungen der niederländischen ostindischen Kompagnie zu Japan im 17. Jahrhundert* (pp. 444, ccxliv).

NORTHERN AND EASTERN EUROPE.

Two new instalments of Oxenstierna's papers, *Rikskansleren Axel Oxenstiernas Skrifter och Brefvexling*, have lately been brought out (Stockholm, Norstedt, pp. 803, 791), the second volume of the first division, the chancellor's own letters from 1606 to 1624, and the eighth volume of the second division, comprising letters to him from Horn, Torstensen and Wrangel.

The Russian journal, *Istorich. Viestnik*, for March contains an article by V. Timiriazev on the Czar Alexander I. as an arbiter in international disputes, with especial reference to the attempted mediation between the United States and Great Britain during the War of 1812.

AMERICA.

The first report of the Historical Manuscripts Commission will appear, probably in the present month, as a part of the *Annual Report* of the

American Historical Association. In their second report, beside certain papers already mentioned, they expect to present, for most of the colonies, a list of the sessions of the legislatures, extending down to 1800, with indications of the extant printed or manuscript journals of the lower houses for those sessions. Professor Turner will edit for the volume the correspondence of Mangourit, French consul at Charleston during the Genet troubles, a correspondence which will cast much light on the expedition of Elijah Clark. It is also intended that this second volume shall contain a part of the data obtained by means of the Commission's circulars and inquiries.

Dr. Leonard W. Bacon's *History of American Christianity* (New York, the Christian Literature Co., pp. 429), coming as a conclusion to the American Church History Series, is intended as a summary of the whole field which that series has treated by means of monographs relating the history of the individual denominations.

The *Nation* of November 11 and 18 contains interesting lists of documents relating to American history among the Rawlinson MSS. in the Bodleian Library at Oxford.

Mr. Thomas Whittaker has printed a new edition (the seventh) of Dr. McConnell's *History of the American Episcopal Church*, in which the narrative is brought down to the present time.

The *Report of the Commissioner of Education* for 1895–1896, Vol. I., contains two somewhat commonplace chapters on the common school in the Middle and Southern states respectively, during the period 1790–1840, by Rev. A. D. Mayo, and a chapter on early educational life in middle Georgia, diffuse but entertaining, by Mr. Richard Malcolm Johnston.

Mr. G. P. Humphrey, of Rochester, in his *American Colonial Tracts* follows the order of Force's *Tracts*. His latest reprints, Nos. 7, 8 and 9, are the New Life of Virginia, 1612; The Beginning, Progress and Conclusion of Bacon's Rebellion, by "T. M."; and Mrs. Cotton's Account of the same troubles.

The American Economic Association has published a reprint of Dr. William Douglass's *Discourse Concerning the Currencies of the British Plantations in America*, 1740. The reprint of this important tract is edited by Dr. Charles J. Bullock, instructor in Cornell University, who, beside annotations, supplies a life of the author and a list of his writings.

Burke's speech on *Conciliation with America* has been published for school use by Messrs. Ginn and Co., with an introduction and notes by Professor Hammond Lamont, of Brown University, and by Messrs. Silver, Burdett and Co., of Boston, with an introduction and notes by Mr. Francis R. Lane.

Professor William McDonald, of Bowdoin College, has in press a comprehensive volume of *Select Documents Illustrative of the History of the United States, 1776–1861*. The selections number about ninety. They

are given either in full or in significant extracts, and follow official or otherwise authoritative texts. Each document is prefaced by a brief introduction and a select bibliography.

The Life and Letters of Thomas Kilby Smith, brevet major-general of United States volunteers (1820–1887), by his son, Walter George Smith, has just been published by Messrs. Putnam. General Smith was in almost constant service during the war, and was afterward consul at Panama.

The interest of Mr. Henry Laurens Clinton's *Celebrated Trials* (Harper, pp. 626) is not confined to the legal profession, for among the trials in which he has been engaged, and of which he here gives a history, were the trial of W. M. Tweed in 1873, that of the case of John Kelly against Mayor Havemeyer, and that of Richard Croker for the murder of John McKenna in 1874.

The last publication of the Prince Society consists of two volumes by the Rev. Dr. Edmund F. Slafter, entitled *John Checkley or the Evolution of Religious Tolerance in Massachusetts* (Boston, the Society, two vols., pp. 288, 320). Checkley's career as a persecuted Episcopalian book seller in Boston, and as a clergyman in Providence, R. I., is narrated with scholarly care. Vol. II. contains a "Bibliography of the Controversy in America relating to Episcopacy, 1719 to 1774."

The Life and Work of Frederic Thomas Greenhalge, Governor of Massachusetts, by James E. Smith (Boston, Robert Brothers), in describing a political character and career of more than ordinary interest, also affords glimpses into the political history of years more recent than those into which political biography is usually brought down.

Vol. XIII. of *The Early Records of the Town of Providence*, a thin volume of 83 pages, contains the records of town meetings from 1716 to 1725.

A *History of the Town of East Hampton*, N. Y., one of the most interesting of the Long Island towns, by Henry P. Hedges, is for sale by Edward N. Nash, New York (pp. 344). The volume contains a reprint of the address delivered at the bi-centennial anniversary in 1849, introductions to the four printed volumes of the records of the town, and other historical and genealogical matter.

Mr. Francis P. Harper has recently issued *Early Long Island Wills of Suffolk County*, 1691–1703, from the records of the prerogative court of that county, with genealogical and historical notes by William S. Pelletreau (pp. 301). The edition is limited.

The legislature of New Jersey, at its last session, passed an act providing for the appointment of a Public Records Commission. The governor has appointed Mr. William Nelson, Gen. W. S. Stryker and Mr. Henry S. Haines, the first named being chairman.

The Parish Register of Christ Church, Middlesex County, Virginia, has been published by the Society of the Colonial Dames of America in that state (Richmond, W. E. Jones, pp. 341).

Mr. Thomas M. Owen, of Carrollton, Alabama, has in preparation a *History of Granville County*, North Carolina, 1746–1800, including much documentary matter.

Hon. Clement Dowd has published a *Life of Zebulon B. Vance, the War Governor of North Carolina* (Charlotte, Observer Printing House, pp. 493).

Gen. Edward McCrady's *History of South Carolina under the Proprietary Government, 1670–1719*, the first section of his long-expected work, has just been published by the Macmillan Co.

The Charleston Year-Book for 1896 contains a historical sketch of St. Philip's Church, by Gen. Edward McCrady, and extracts from the diary of Rev. Oliver Hart, 1740–1780 (Charleston, Lucas and Richardson).

An elaborate history of Edgefield County, S. C., has been printed by Mr. John A. Chapman (Newberry, Elbert H. Aull, pp. 521).

Mr. Edmond Mallet has given an English form to those investigations concerning the Sieur de Vincennes, of which we spoke on p. 786 of our last volume. His work now appears as Number 2 of the third volume of the Indiana Historical Society Publications, with the title *Sieur de Vincennes, the Founder of Indiana's Oldest Town* (Indianapolis, Bowen-Merrill Co., pp. 62).

The latest publication by the Filson Club is Col. Bennett H. Young's *History of the Battle of Blue Licks* (Louisville, John P. Morton and Co., pp. 101).

The most recent publication by the Missouri Historical Society, No. 14, is an account of *The Beginnings of Ecclesiastical Jurisdiction in the Archdiocese of St. Louis*, by Rev. J. J. Conway, S. J.

Noteworthy articles in periodicals: H. Harrisse, *Sebastien Cabot, Pilote major d'Espagne, considéré comme Cartographe* (Revue de Géographie, June); R. C. H. Catterall, *The Issues of the Second Bank of the United States* (Journal of Political Economy, September); W. A. Dunning, *Military Government in the South* (Political Science Quarterly, September).

We find that the pamphlet entitled *The People the Best Governors*, upon which Dr. Harry A. Cushing based an article printed in this journal, Vol. I., pp. 284 to 287, using a copy in the library of the Connecticut Historical Society which he supposed to be unique, was printed in Mr. Frederick Chase's *History of Dartmouth College*, Vol. I. (1891), from a copy which Professor Lord, the editor of that volume, supposed to be unique. Readers of Mr. Cushing's valued article may like to know of a place in which a complete text of the pamphlet can be found.

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The American Historical Review

THE ANNUAL MEETING OF THE AMERICAN HISTORICAL ASSOCIATION

THE thirteenth annual meeting of the American Historical Association was held at Cleveland on December 28, 29 and 30, 1897. Once before the Association had met west of the Alleghanies, but it was at the Chicago exhibition of 1893 and the meeting was exceptional in character. If Cleveland is hardly to be called a western town, yet a truly western hospitality was manifested toward the Association and its congener, the American Economic Association, which by a happy arrangement held its meetings in the same city on the 29th, 30th and 31st. Professor Henry E. Bourne and the other members of the local committee of arrangements were unwearied and highly successful in their efforts to promote the comfort and pleasure of those who attended the meetings. Mr. and Mrs. J. H. Wade, Mr. and Mrs. H. A. Garfield, Mr. and Mrs. Samuel Mather, on the successive days respectively, threw open their houses to the visitors, and President Thwing, of Western Reserve University, entertained them at luncheon within the walls of that institution. An especially agreeable social event was the common breakfast of the two associations, at noon of the 29th, by which a practice inaugurated at the New York meeting was pleasantly continued and assured of permanence; and, of course, that less formal sociability which to many constitutes the chief attraction of the meetings prevailed at the hotel which was chosen as headquarters and at all the various places—the hall of the Board of Education, the Church of the Unity, and the libraries of the University and of the Western Reserve Historical Society—in which the sessions were held.

The most striking general feature of the transactions was the prevalence of discussions of practical topics interesting to the profes-

sion, rather than of formal contributions to knowledge. Thus the first session, after the reading of a brief paper by Mr. George P. Winship, of Providence, on the sources of our knowledge of the history of John Cabot's discoveries, was devoted to a discussion of the question: To what extent may "Sources" profitably be used in the teaching of History below the Graduate School? The discussion was principally carried on by Professor A. B. Hart, of Harvard University, Professor J. A. Woodburn, of the University of Indiana, and Professor E. P. Cheyney, of the University of Pennsylvania. Professor Hart spoke chiefly of the technical aspects of the problem, as related to different classes of sources.

Professor Woodburn dwelt first on the great variations of the factors in the problem, the widely varying abundance of materials in the possession of different institutions, the wide differences among undergraduates in respect to culture and training. For the ordinary undergraduate he was strongly of the opinion that training in the use of sources should by no means be the chief aim in instruction. Such an undergraduate approaches his college courses in history without any adequate conception of the great historic movements of the world. He ought first to obtain a broad general notion of these movements. This is his evident primary need, and if he is to reach this end, in the time he ordinarily devotes to history, he cannot become an investigator. He has not the time, nor the opportunity, nor the aptitude, nor (most emphatically) the scholarship, to make the attempt profitable. Much as he may dislike to do it, or as we may dislike to have him do it, he must content himself with accepting the direction and findings of the best authorities who have gone before him. But while convinced that the use of the sources is not an important end of the undergraduate's work in history, the speaker gave it a prominent place among the means of reaching the end, the end being the acquisition of general historical culture. Such use has now been made more practicable than ever before, by the multiplication of excellent books of extracts. Fragmentary though they are, and therefore in some respects unsatisfactory, experience shows that students feel their value in making the events of history more real, in conveying impressions more forcibly and aiding in the retention of facts, in cultivating a taste for research and promoting the exercise of independent judgment. True pedagogical principles point in the same direction, urging that, instead of being furnished with outright solutions to all problems, the student be led, as far as is possible, to discover and produce for himself, with a mind not merely receptive, but active. The important question of proportion should receive an answer determined by the circumstances of each

particular case; the undergraduate should be trained in the use of sources to as large an extent as the end in view—the end of liberal culture in historical knowledge—will permit.

Professor Cheyney's paper was devoted specifically to a discussion of the matter as a general theoretical question. With undergraduates, he thought, the sources should be used primarily for purposes of illustration; not to furnish the main content of the student's course, nor to give him technical training in methods of investigation. He defended their use on two main grounds: first, the greater sense of reality which is obtained by their use; secondly, the mental culture in the form of habits of moderation and fairness, and in the training in critical judgment, which follows upon even a comparatively slight familiarity with the actual sources of our knowledge. These claims were tested by several historical examples. An effort was made to show by these that the vagueness and unreality of historical impressions can be overcome by bringing the student into contact with the vivid real words and personality of contemporary writings. The effect on the general culture of the student lies rather in bringing him, through the study of actual instances, to look at things as they really are, without exaggeration and without partisan condemnation, and in training the capacity to judge of the worth or worthlessness of the books which are constantly forcing upon us their claims for consideration. The question under discussion should then be answered in some such way as follows: Within the limits of practicability the sources should be used wherever they will illustrate or supplement or give reality to the work, and wherever they will teach a lesson of historical judgment without at the same time destroying the unity and the continuity of the student's course.

Professor F. M. Fling, of the University of Nebraska, gave an interesting account of the use of sources (in English translation) in the secondary schools of that state, and advocated their being made the staple of historical instruction. But the general view seemed to be that their proper use was rather as a vivifying adjunct to text-books, lectures and the reading of authoritative historians.

The afternoon was assigned to a meeting of the Church History Section. The notion of such a special section was devised a year before, when the American Church History Society was absorbed into the American Historical Association; and, though the sectional meeting thus inaugurated exhibited no such certain signs of great vitality as surely ought to attend a meeting in the interest of church history in America, yet the plan so far met with favor that another section, devoted to the study of legal history, was projected as an

accompaniment of subsequent meetings of the Association. Three papers were read before the section. The first was an essay on The Philosophical Disintegration of Islam, by Rev. H. W. Hulbert of Cleveland. After the first century of territorial expansion Islam at Damascus and Baghdad and Cordova came into contact with remnants of Greek philosophy and Christian heresy. The result was, east and west, a struggle to harmonize the Koranic faith with philosophy and, out of this, the rise of innumerable Mohammedan sects. Though the process would seem to be not without a parallel in Christian history, the purpose of the paper, in reviewing the speculative thinkers of Islam, was to exhibit its inability to keep its identity in the face of the philosophical attack, and its collapse as a theological system, until the Ottoman came in to maintain orthodoxy by the sword. The Rev. James I. Good of Reading, Pa., next read an account of the work of the Netherland churches in fostering the German Reformed churches in America, and of the steps by which the latter won their home rule. The Rev. Dr. S. M. Jackson of New York gave an account of a recent pilgrimage to the places associated with the life of Zwingli.

In the evening the Association listened to the inaugural address of its president, Dr. James Schouler of Boston. He began by remarking upon the large increase of the Association during the past year; more than three hundred new names had been added, largely through the exertions of the Hon. Peter White of Marquette, so that the total membership is now 928. Reference was made to those members who had died during the past year, twelve in number, including Dr. Justin Winsor, formerly president of the Association, to whose memory a feeling tribute was paid, Gen. Francis A. Walker, and Hon. Horatio King. The main subject of the address was "Constitutional Amendments and a New Federal Convention." Referring to the Philadelphia Convention of 1787, Dr. Schouler adverted to the striking fact that that body, a novelty in its own day, had had no similar successor, numerous as had been the conventions which had made amendments or new constitutions for the individual states. In the states, where a century ago the representative legislatures were habitually exalted, the modern tendency is to raise the other departments to an equality, as all alike based fundamentally on popular sanction; and the *referendum* gains constantly the upper hand. Urging the desirableness of a limited federal convention, which should consider and act upon specific proposals alone, Dr. Schouler discussed at length those amendments which seemed to him worthy of adoption. First, he advocated the choice of senators of the United States by the people of a state at large. In the

line of a manifest tendency to interpose greater barriers to Congressional legislation, on some topics at least, than are imposed by the present Constitution, he thought it might be well to insist upon a two-thirds vote in each branch for changing the currency, declaring war, or borrowing or appropriating beyond certain limits; and that more than a bare majority of a quorum ought certainly to be required for such momentous legislation, disturbing the national equilibrium, as the admission of new states into the Union, or as that which sanctions the acquisition of alien territory with an alien population. Dr. Schouler further expressed the wish to see literally extended to the Union that prohibition on the states which expressly forbids them to emit bills of credit, to make anything but gold and silver coin a legal tender in payment of debts, or to pass any law impairing the obligation of a contract. He also advocated the election of the President and the Vice-President by popular vote, and by a plurality in case there were no majority. It might likewise be desirable to enlarge the President's veto power, so that he might at discretion veto individual items of an appropriation bill while approving the rest, or so as to leave him thirty days after the close of each session of Congress in which to decide whether to approve or to disapprove of its final measures.

After the conclusion of the president's address, Professor F. M. Fling read a paper entitled "Mirabeau and Calonne in 1785." The paper dealt with the history of the book on the Bank of St. Charles, written by Mirabeau in 1785 at the request of Calonne. The subject has already been well treated by Stern and Loménie. The reason for re-examining it was the discovery by Professor Fling of an unpublished manuscript, unknown to previous biographers, and containing an account of a conversation that took place between Mirabeau and Calonne on the day on which the book was published. This conversation was recorded by Mirabeau in the form of a dialogue, shortly after it took place, and evidently with a view to publication. From this document it becomes clear that Calonne consulted with Mirabeau before the decree of council was issued condemning the bank. Mirabeau realized that Calonne was unable to prevent the council from taking action, and that he might be exiled or sent to the Bastille. He placed himself completely in Calonne's hands, and as he personally was not molested he had little to complain of.

The last paper of this day was one by Professor J. M. Vincent of Johns Hopkins University, on "European Blue Laws." He showed that strict laws for the conduct of the private citizen were not a monopoly or invention of the Puritans. Regulations as to clothing, eating, drinking and the observance of Sunday were found

all over Europe during the same period in both Catholic and Protestant countries. In fact, sumptuary laws were common during the Middle Ages, and the Reformers merely continued the old methods of dealing with the problems of society. It was a general political maxim that the authorities should regulate even the small particulars of life and manners. Examples of the medieval regulation of clothing were given from France and Switzerland. Though the Reformation introduced greater sobriety of manners, yet legal regulation continued. Zürich and Bern, it was shown, were nearly as strict as Geneva. The laws of the former two towns with regard to church-going, taverns and drinking, personal adornments and social entertainments, were exhibited in some detail, as were also the sumptuary laws of Louis XIV. The significant generalization was that inquisitorial laws continued to be enacted on the Continent for nearly three centuries after the Reformation, and were found in operation as late as, or later than, the Blue Laws of the American colonies.

The proceedings of the second day were altogether pedagogical in their interest. At the New York meeting a committee of seven had been constituted, at the request of the National Educational Association, to investigate the condition of historical teaching in the secondary schools throughout the United States, in order, if possible, to recommend some scheme or schemes for its improvement. The committee consisted of Professor A. C. McLaughlin of the University of Michigan, its chairman, Professor H. B. Adams of the Johns Hopkins University, Professor H. Morse Stephens of Cornell University, Professor A. B. Hart of Harvard, Miss Lucy M. Salmon, professor at Vassar College, Professor C. H. Haskins of the University of Wisconsin, and Mr. George L. Fox, headmaster of the Hopkins Grammar School at New Haven. The committee had pursued its task with energy and devotion during the year, and had held consultations which culminated in a series of meetings at Cleveland.

In presenting the committee's report the chairman, Professor McLaughlin, called the attention of the Association to the purpose for which the committee had been created, to recommend to a committee of the National Educational Association a course of study in history which might be taken as the basis for a portion of a scheme of uniform requirements for entrance to college. Before the committee could make such a report, however, many things had to be done. Information had to be gathered concerning the present condition of historical study in the schools, and then a course had to be worked out which was suited to the needs of the college and not beyond the ability of the schools.

Moreover, the committee felt that it was highly desirable to make an examination of the whole field and prepare a report that would be helpful, stimulating and suggestive to the secondary teachers of the country. To ascertain present conditions, circulars were sent to nearly five hundred schools; something over two hundred answers were received, and the answers had been cast into tabulated form. For the purpose of getting suggestions as to courses of study and methods of teaching, three members of the committee visited European schools during the summer of 1897, and after a careful examination prepared reports upon the condition of historical study in the secondary schools of Germany, France and England. Miss Salmon had made an exceedingly thorough investigation into the teaching of history in German gymnasia, Mr. Haskins had examined into the teaching in the secondary institutions of France, Mr. Fox into those of England. Miss Salmon, as the result of her exhaustive study of German programmes and methods, read to the Association this same morning a highly interesting paper on The Teaching of History in German Gymnasia, which has since been printed in the *Educational Review* for February. We may therefore refer our readers to the pages of that journal for the full text of that instructive communication. It must suffice here to present a brief summary. History, in connection with geography and in due correlation to other studies, is taught throughout the nine years of the gymnasial course, which begins when the boy is nine years old. The average amount of time devoted to its teaching is three hours per week. During the first two years the boy is taught legends from classical and German mythology and the biographies of great men. No attempt is made to give formal instruction in chronological order; the method is story-telling, pure and simple. Systematic historical instruction begins with the third year in the gymnasium. During the remainder of the course the work in history and geography forms two regular concentric circles, the first occupying four years, the second three. The object of the first circuit is to give a connected account of the great events of the world's history, ancient, medieval and modern, and especially of the relation of Germany to these events; the method is that of pure narration. During the last three years the pupil traverses the general field of history again, but with the object of laying the foundations deeper, of gaining a broader outlook, of understanding present conditions through their development in the past, of building upon the love of fatherland that has been so sedulously cultivated in the earlier part of the course a sense of personal responsibility to it, of inspiring high ideals and creating ethical standards. The method

of treatment is adapted to this final aim and to the boy's maturer state of mind. It becomes more formal, and somewhat resembles that of a college lecture. Miss Salmon pointed out the natural differences of aim between German and American historical instruction, and praised with warmth the competence and mental equipment of the teachers of history in German schools.

The committee found that, in spite of many meetings and discussions, it was ready as yet to make only a provisional report and asked for the privilege of continuing its labors. It was ready to report with some definiteness an ideal course covering four years, with five recitations a week; but the more difficult problem of preparing practical recommendations for a schedule of entrance requirements was still to be solved. In the ideal course the committee recommended four sections or blocks of history, each to occupy a year: (1) Ancient history, including a very general introductory study of the more ancient nations, and the history of Greece and Rome to the downfall of the Empire, the histories of the two nations to be studied, as far as practicable, as related subjects; (2) The history of Continental Europe, beginning with the fall of Rome and ending in the nineteenth century; (3) English history, to be studied in its broader aspects and to include somewhat extensive references to Continental relations and imperial development; (4) American history, with special reference to the Federal period, and with the collateral study of civil government.

On the subject of method the committee recommended that a text-book in chief be used, and expressed the conviction that written exercises, the preparation of topics in written or oral form, the constant use and occasional making of maps, were desirable additions to the text-book work; that collateral reading in secondary material should be a part of every course, and that when practicable the sources should be used; that sources were principally useful in giving reality and concreteness to the facts of history, and could be used by the teacher for the purpose of illustration, and often by the pupil himself for the same purpose.

As for the teaching of history in grades below that of the high school, the committee did not feel warranted yet in making definite recommendations, desiring to make further examination into the present status of the matter; but they agreed that it was desirable to teach, in elementary ways, the history and government of our own country, with some preliminary or collateral study of European history. The committee's whole report was approved by the Association, and the committee was continued. It is understood that, after more preliminary work by individual members, it will meet this spring in Ann Arbor.

Mr. A. F. Nightingale, superintendent of schools in Chicago and chairman of one of the departments of the National Educational Association, read a short paper, the conclusions of which were in striking accord with those of the committee of seven. He advised that the fields of history be taken up in chronological order, and that general history, as it is now studied and taught, be abandoned. In the discussion which followed these papers, Professor Fling expressed his regret that the committee's recommendations on the use of sources were not more decided and more radical. He contended that if the pupils were not brought into immediate contact with the sources such material would never be used at all, even for purposes of illustration. He declared that all the tendencies in historical teaching in America and Europe were in the direction of the "source method." Professor Hart, replying to Professor Fling, said that he did not believe that pupils in the secondary schools could as a rule make use of the sources as the primary means of gaining knowledge, but that original material vitalized the dry facts of history and gave them new force and meaning. Professor Haskins and Miss Salmon did not think, after having made some study of the matter, that there was any tendency in Europe in the direction of the increased use of the sources by pupils. Miss Salmon said that she had made special inquiries regarding this subject in all of the German gymnasia which she had visited, and that she had not found the source-books used anywhere by the pupils.

The evening session of this day, a session held jointly with the American Economic Association, but mostly occupied with history, was devoted to a discussion of the opportunities for American students of history and economics in Europe. Professor C. H. Haskins of the University of Wisconsin read a paper on the Opportunities for American Students of History at Paris, which is printed in the present issue of this REVIEW. Professor O. J. Thatcher of the University of Chicago, who was to have read a paper on Opportunities for American Students of History in Germany, was unfortunately prevented from attending, nor was his paper presented. Professor H. Morse Stephens of Cornell University discoursed informally upon the opportunities for the Study of History at Oxford and Cambridge, but shortly gave way to Mr. Wilbur C. Abbott, now of the University of Michigan, who recently pursued the newly-instituted course for the "research degree" at Oxford. Both were of one mind, that Oxford in some respects presented admirable advantages to the mature student, but was no place for the tyro, who would find little machinery in existence intended for his benefit and guidance. Indeed, it was the general opinion of these speakers, and of Professor C. H. Hull of Cornell University, who

spoke briefly and informally on the study of political economy and political science in Germany, that the appropriate time for European studies on the part of American students was not immediately after their taking the first degree, but later, the American universities having now developed their graduate instruction so fully as to make it better for the student to pursue his work in America during the first years after baccalaureate graduation.

The morning of the third day was also spent in joint session with the economists, and was devoted to a discussion, chiefly by members of that profession, of the Relation of the Teaching of Economic History to the Teaching of Political Economy. The discussion was led by Professor Henry B. Gardner of Brown University, Professor Henry R. Seager of the University of Pennsylvania, and Professor George W. Knight of the Ohio State University. The necessity of carrying the study of economic history into the most advanced stages of instruction in economics being generally conceded, the purpose of Professor Gardner's paper was to urge the importance of including systematic instruction in economic history in the general introductory course in political economy usually given in our colleges. The purpose of such courses is, for most students, to develop the capacity to form intelligent and liberal judgments on present economic questions. With this end in view, the information given should include: (1) a description of the most essential features of the structure and working of the economic organization; (2) a statement of the main principles or laws revealed by an analysis of its fundamental forces; (3) a critical estimate of the system and of the more important plans for modifying it. Now instruction has generally been concentrated on economic analysis and its results, the other parts being treated not systematically, but incidentally, to illustrate the analysis. Under such training the student will not be able to estimate correctly the real scope and significance of economic theory, not seeing clearly its relations to economic life as a whole nor perceiving its limitations. He will be tempted either to reject it as merely theoretical, or on the other hand to ignore its divergences from the facts of actual life. In respect to practical problems he will not know how to distinguish what is essential and rigid in the existing system from what is non-essential and flexible. Hence the speaker concluded that a description of the structure and working of the economic organism is essential even in an introductory course in economics, and that this description should be systematic and comprehensive. But in order to understand what is characteristic in the existing organization, to estimate justly the relative importance and permanence of its various elements, and to distinguish its controlling tendencies, it is, if not

absolutely necessary, at least extremely helpful to understand its historical origin and to compare it with earlier and simpler systems. This could best be done by a comprehensive view of economic history, which could show the movements and interrelations of economic life as a whole, and which should precede the description of the existing system, acquainting the student first with the simpler forms of organization and enabling him to trace the actual course of economic development.

Professor Seager held that introductory courses in economic history existed mainly because of the defects of historical teaching, and would become unnecessary whenever courses in general history were so recast as to assign due prominence to economic forces. Agreeing that a course in descriptive economics should precede the theoretical course, he did not think that a course in economic history should do so. Its proper place was after the theoretical course, and its aim, to remove or make impossible the notion that the economic institutions of to-day and their mutual relations are permanent and inevitable. This could best be done, not by a course which presented a continuous outline of economic history, but by intensive study of some one period, especially a period differing as widely as possible from the present in its economic organization. Economic history should be studied also in connection with the history of economic theory and with the study of practical economic problems. The former study is valuable only when the attempt is made to interpret the economic theories accepted in each period in the light of the industrial conditions to which they owe their origin. As regards the latter, no practical problem can be treated adequately except with reference to the historical conditions out of which it has arisen.

Professor Knight was of opinion that the teaching of economic history should precede the teaching of political economy. He pointed out that the study of political institutions and of theories of the state everywhere follows upon, never precedes, the study of the political history of the state. Since at present the teacher of history is not covering this portion of the historical field, it must, as yet, be treated as a distinct thing, and probably by the economist rather than by the historian. The increase of such teaching in colleges and universities was noted. Later should come the history of economic theory in connection with the intensive study of economic history in detail and by periods and institutions.

The concluding session of the Association was devoted to a discussion of the functions of local historical societies. Two papers were read: one by Mr. R. G. Thwaites, corresponding secretary of the State Historical Society of Wisconsin, on State-supported Histor-

ical Societies and their Functions, the other by Professor J. F. Jameson of Brown University, on The Functions of State and Local Historical Societies with respect to Research and Publication. But to this general subject the REVIEW may not improbably recur on a later occasion. This session was held in the beautiful new building of the Western Reserve Historical Society, and was the first meeting ever held therein. A considerable number of papers, read only by title, were submitted for publication in the annual volume of the Association.

A report on behalf of the Historical Manuscripts Commission was submitted by its chairman, Professor Jameson. An interesting plan proposed by Miss Salmon, professor in Vassar College, was encouraged and referred to the secretary and Miss Salmon. It contemplated the affiliation of local historical societies with the American Historical Association, by payment of annual dues or the fees for life-membership, and with mutual duties of communication and report. Proposals were brought forward, in view of the approaching expiration (in July) of the guarantee fund of the AMERICAN HISTORICAL REVIEW, for its adoption by the Association. Definite action upon this matter was deferred until the next annual meeting. In the meantime, a grant was made to the REVIEW from the treasury of the Association, in consideration of which each member of the latter is to receive a copy of the issues of the REVIEW for next October and January, that all may be prepared to vote intelligently upon proposals for union next December.

The officers of the Association elected for the ensuing year are: President, Professor George P. Fisher of Yale University; first vice-president, Mr. James Ford Rhodes of Boston; second vice-president, Dr. Edward Eggleston; secretary and treasurer, as heretofore, Professor Herbert B. Adams and Dr. Clarence W. Bowen, respectively. Dr. Schouler became *ex officio* a member of the executive council; President E. M. Gallaudet and Professor George B. Adams retired from that body, and their places were filled by the election of Chief-Justice M. W. Fuller and Professor A. B. Hart. The next meeting is to occur at New Haven on December 27, 28 and 29, 1898. The committee on the programme consists of Professor E. G. Bourne of Yale, Professors Hart of Harvard, Judson of Chicago, Turner of Wisconsin, and the secretary.

The *Annual Report* of the Association for 1896, a volume of 1107 pages, has not reached the office of the REVIEW at the time of going to press, but the receipt of several "separates" from it gives promise of its speedy appearance. The largest of these separate issues is the Report of the Historical Manuscripts Commission, comprising 641 pages (pp. 467–1107) of the volume. The Report consists of a re-

port in the more special sense, setting forth the aims of the Commission and the steps it has hitherto taken toward the realization of those aims, a careful bibliography of American archives, or, more explicitly, a List of Printed Guides to and Descriptions of Archives and other Repositories of Historical Manuscript, prepared by Dr. E. C. Burnett and the chairman, and five series of historical documents, printed as specimens of the mode in which the Commission proposes to deal with the most important of those manuscripts to which it may be led by the systematic inquiries it is pursuing. The first of these is a series of the letters of Phineas Bond, consul at Philadelphia, to the British Foreign Office in 1787, 1788 and 1789, letters interesting for the light they throw on the economic, and in a less degree the political, history of the United States during that transitional period. Next comes a body of correspondence relating to an attempted intrigue with the French government, carried on from Philadelphia in 1756, and disclosed through the intercepting, by the British officials in England and Ireland, of letters addressed to the Duke de Mirepoix. Next is printed a collection, derived from various sources, of the letters of Stephen Higginson, a Boston merchant, highly influential in politics and conspicuous among the high Federalists. The letters extend over an interesting period (1783–1804) and cast light on many important transactions. The political history of South Carolina, 1805–1808, is illustrated by the publication of a series of extracts from the diary of Edward Hooker, who lived at Columbia during those years. Finally, the long-continued and widely ramifying intrigues of France for the possession of the Mississippi Valley, and especially the intrigues of Citizen Genet with George Rogers Clark and the projected expedition of the latter against the Spaniards in New Orleans, are illuminated by a highly important and varied collection of documents edited by Professor Turner. The commission actively continues its pursuit of manuscripts. Its second report will present some of the results of the pursuit, together with the second instalment of the Phineas Bond letters and the correspondence of Genet with Mangourit, French consul at Charleston. With the aid of these two series of Genet documents and those printed in the present number of the REVIEW, Professor Turner prepares for our next number a new account of Genet's relations with the West. For its third report the Commission expects to present a first instalment of the correspondence of John C. Calhoun. The trustees of Clemson Agricultural College, which possesses the chief mass of his papers, has agreed to entrust them to the Commission for publication. The Commission, earnestly desirous to do this important piece of work thoroughly, hope that those who know of other Calhoun letters will inform the chairman.

OPPORTUNITIES FOR AMERICAN STUDENTS OF HISTORY AT PARIS[1]

THE topic assigned me this evening is not entirely a new one. Two former presidents of this association have had occasion to discuss briefly the progress of historical studies in France,[2] and, thanks to our secretary, Americans have long been familiar with the excellent report upon historical work at Paris prepared by Professor Fredericq of the University of Ghent and translated in the *Johns Hopkins University Studies*.[3] Quite recently, too, the newspapers have had something to say concerning the educational opportunities of the French capital, and there are at least three committees—a *Comité Franco-Américain*, a Paris-American University Committee, and an American Advisory Committee—charged with disseminating information and strengthening academic relations between France and America. My excuse for venturing into the field is that important changes have taken place in the fifteen years since Fredericq's account appeared, and that, in spite of newspapers and committees, there is not accessible, so far as I know, a statement of what is actually done in France in the various lines of work to which the attention of American students is being directed. In attempting to show what Paris offers and what it does not offer in the department of history I shall try to be as succinct and definite as possible; it will, I trust, be evident that I hold no brief for French schools and make no plea for Paris as the unique goal of the historical student.

In limiting the subject to Paris I am well aware that Paris is not France and that instruction in history is not confined to the metropolis. Much has been done of late to improve the condition of the provincial universities, so that Professor Bréal, an active leader in the movement to increase the attendance of students from this side

[1] Read before the American Historical Association at its meeting at Cleveland, December 29, 1897.

[2] Andrew D. White, *European Schools of History and Politics*, in the *Johns Hopkins University Studies*, December, 1887. Charles Kendall Adams, *Recent Historical Work in the Colleges and Universities of Europe and America*, *Papers of the American Historical Association*, IV. 39–65.

[3] *The Study of History in Germany and France*, *Johns Hopkins University Studies*, May–June, 1890. Work in history at Paris is also described, largely on the basis of his own observations in 1890, by Altamira in the second edition of his *Enseñanza de la Historia*, 35–90. The recent impressions of a Belgian student, E. Lameere, will be found in the *Revue de l'Université de Bruxelles* for 1896, Nos. 7–10.

of the Atlantic, has expressed the hope that many Americans might be drawn to them by the desire "to know French life intimately and in its purity," to revel in the rare climate of Bordeaux or Montpellier, or to enjoy the beauties of Grenoble "within sight of the Alps, beside the swift waters of the Isère."[1] Now Grenoble is a delightful place in summer, as I can testify, and the winter climate of Paris may easily be surpassed in the south, but these things of themselves are not sufficient to attract the serious student. The provincial universities suffer from the evils common to the whole educational system of France, plus the depressing influence of excessive centralization, and they have none of the advantages of special schools, great libraries, etc., which are found at the capital. There are excellent men in many of the provincial faculties, but it can safely be said that for the present, at least, the American who goes to France to study will turn his steps toward Paris.

The organization of higher instruction in France is in sharp contrast with our ordinary conceptions of the character of the French people. Instead of being simple and logical, higher education is complicated and unsystematic; instead of having been radically made over from time to time, it has evolved slowly, with large deference to conservative prejudice and vested interests. As a result, the system has grown by additions rather than by alterations, by the creation of new agencies rather than by the modification and enlargement of old ones, so that each successive period in the history of modern France has left one or more representatives in the congeries of existing institutions of learning. Thus the Collège de France is a survival of the old régime, the École Polytechnique is the creation of the Convention, the Faculties were organized by Napoleon, the École des Chartes was established under the Restoration, the École des Hautes Études owes its origin to the Second Empire.

If any one thing has been characteristic of French education amid all the vicissitudes of the past hundred years, it is the system of special schools, designed to prepare men for a single definite career, rather than the university with its varied opportunities and broad ideas of culture and research. Adopted by the Convention to meet the pressing needs created by the suppression of the old universities, the system of special schools was permanently established by the First Empire. Afterward, as new needs appeared, new schools were created, while at the same time the old schools sought to enlarge their facilities in the direction of general studies

[1] *Journal des Débats*, June 7, 1895, as quoted in the pamphlet issued in that year under the title *The Comité Franco-Américain of Paris.*

and thus become miniature universities. The professors of the faculties of letters and science, the only bodies not strictly professional in character, had no regular duties of instruction and spent their time in examining candidates for certain degrees and in delivering lectures before a miscellaneous audience who came for an hour's pleasant entertainment or perhaps to keep warm and read the newspapers. The Collège de France was in exactly the same position except that its professors held no examinations. The whole system wasted resources by the duplication of buildings, appliances, and teachers inevitable under a régime of isolated professional schools; overburdened faculties and students with an artificial system of examinations; encouraged superficiality and rhetorical display among the professors; and deprived students both of a thorough scientific training and of contact with practical affairs.[1]

The movement for the reform of higher education began toward the close of the Second Empire, largely through the influence of men who had studied in Germany and had been impressed with the superior advantages of their neighbors beyond the Rhine, and it was powerfully furthered by the events of 1870 and 1871. Changes have come slowly among a people which finds it easier to plan large reforms than to execute small ones, and the system is still in process of transformation, but in certain directions great advances have been made. The special schools have not been suppressed, but they no longer monopolize the field. The faculties of letters and science are now teaching and investigating as well as lecturing bodies, and have added to their previous duties the work of preparing teachers, once exclusively performed by the Ecole Normale. The expenditures for higher education have greatly increased, and the various groups of faculties have taken the name and caught something of the spirit of universities. Some improvement has been made in the programmes of examinations, while by the establishment of the École des Hautes Études opportunity has been given for thorough training in investigation in all the principal branches of knowledge.

The progress accomplished in France within a generation is nowhere more apparent than in the subject of history. Thirty years ago the opportunities for historical instruction at Paris were limited to the displays of oratory at the Sorbonne and Collège de France, the closed courses of the École Normale—as yet untouched by the hand of Fustel de Coulanges—and the special training of the École des Chartes, of which more will be said later. To-day, apart

[1] Condensed from the excellent article of Langlois on *The Question of Universities in France*, in the *Political Science Quarterly*, September, 1894.

from the École Normale, which is not open to the public, and certain courses at the Law School and Collège de France which lie rather in the field of economics and political science than in that of history proper, the student of history may avail himself, not only of the École des Chartes and of the enlarged and invigorated Faculty of Letters, but of the new École des Hautes Études and École Libre des Sciences Politiques—all with the exception of the École Libre open without charge[1] to foreigners as well as natives and to women as well as men. In these four institutions alone there are this year, leaving out of account the related work in language and archaeology, twenty-eight different professors of history, offering fifty-five distinct courses—a number of instructors and courses equal to those of Berlin and Leipzig combined. In all this variety there is very little duplication of work, in spite of the independence of each school. Indeed, as has recently been remarked, the Faculty of Letters, the École des Hautes Études, and the École des Chartes, all now installed in the new buildings of the Sorbonne, are but the distinct departments of the historical faculty of an ideal University of Paris, vaster even than the university actually authorized by the recent law.[2] Let us see what each of these institutions has to offer.

The Faculty of Letters of the University of Paris is in theory an institution for the encouragement and diffusion of higher culture, a centre of research and training in historical and philological investigation, and a normal school for the preparation of teachers for *lycées* and colleges.[3] In actual practice its energies are chiefly absorbed in the task of preparing candidates for the examinations leading to the *licence* and *agrégation*, and by far the greater number of its students are working for these degrees. Two sorts of courses are offered: the public lecture, open to everybody as of old but primarily addressed to students, who form a constantly growing element in the audience; and the closed course (*cours fermé*, *conférence*), to which only matriculates are admitted. The nature of the closed courses depends largely upon the tastes of the instructor. Sometimes they consist of a series of set lectures on a topic previously announced, sometimes they are transformed into seminaries for the detailed study of an author or an epoch; but more commonly they take the form of explanations of the authors and texts which are found on the examination programmes of the year, or of practical exercises in teaching conducted by the pupils in turn under the criticism of the instructor and the rest of the class.

[1] The Faculty of Letters demands certain inconsiderable fees from candidates for degrees.

[2] Langlois and Seignobos, *Introduction aux Études Historiques*, 306.

[3] *Revue Internationale de l'Enseignement*, November 15, 1897, p. 417.

Of the forty-eight professors and instructors who announce courses in the Faculty of Letters this year,[1] eleven devote themselves entirely to historical subjects. Ancient history is represented by Bouché-Leclercq, the well-known writer upon Roman religion and institutions, Guiraud, the talented pupil and biographer of Fustel de Coulanges, and Grébaut, who confines his attention to Oriental history. The chair of medieval history is held by Luchaire, the distinguished master of the Capetian epoch. For the modern period there are four professors: Lavisse, the director of the department of history and geography, who lectures on the age of Louis XIV. and conducts a series of admirable exercises for future teachers, Aulard, who occupies the chair of the history of the French Revolution established by the city of Paris, Zeller, and Rambaud, at present Minister of Public Instruction and replaced at the Sorbonne by Denis of the University of Bordeaux. The list also includes Seignobos, who considers questions of historical method and their application to secondary instruction, Langlois, who lectures on bibliography and palaeography and conducts a seminary for research in the Middle Ages, and Lemonnier, who treats of the history of art in its relations to the history of civilization. The student's choice will naturally be governed by his tastes and opportunities, but whatever his special interests, he should at least endeavor to profit by the varied and accurate information and rigorous scientific methods of Langlois, the originality and suggestiveness of Seignobos, and the brilliant lectures of Lavisse, unsurpassed models in their combination of matter and form.

Of the degrees conferred by the Faculty of Letters, two only, the doctorate in letters and the diploma in history and geography, are of interest to the foreign student. The French doctorate is a distinctive institution, the peculiarities of which are not generally understood abroad, where from the similarity of name it is usually supposed to represent the equivalent of the German and American doctorates, from which it differs in several important respects. In order to become a candidate for the doctorate in France it is necessary, not only to possess the degree of bachelor, which corresponds roughly to the certificate of graduation from a German gymnasium; one must also be *licencié* in letters, that is, one must have spent on the average at least two years in further study at a university and passed examinations in Greek, Latin, French and certain elective

[1] The various courses given at Paris each year are enumerated in the *Livret de l'Étudiant de Paris*, a small pamphlet issued in November under the auspices of the University Council. Unfortunately it has not yet become the practice to make announcements much in advance of the time of opening in November, but there is not much change from year to year in the work offered. According to a recent announcement in the *Nation* M. Henry Bréal, 70 Rue d' Assas, will be glad to give information to intending students.

subjects. Once *licencié*, the candidate has no further requirements of time or residence to fulfil for the doctorate, nor are there any examinations beyond the public defence of the thesis, an ordeal of at least four hours and by no means so simple an affair as the Prussian *Disputation*. Everything centres in the theses, which are two in number, one in Latin, corresponding in length and general character to the ordinary German dissertation, the other in French, averaging from three hundred to six hundred pages in length and dealing in a thorough and comprehensive manner with an important subject. In theory a student may present himself at once upon receiving the *licence*, in practice, owing to the nature of the thesis, several years intervene, so that many Frenchmen are well along in the thirties before they become doctors. From one point of view, the French doctorate is less exacting than the German or our own, since there are no requirements of subordinate subjects and tests of the candidate's general knowledge of the field in which he presents himself, these matters being presumably covered by the *licence* and the training necessary to produce a satisfactory thesis; but on the other hand, the standard of the thesis is in France much higher. It is not an *Erstlingsarbeit*, not simply a proof of ability to carry on investigation, but a solid and mature production, designed as an original contribution to knowledge worthy, if possible, of the praise summed up in the reviewer's term *définitif*. To see that there is no comparison between the French and the German dissertations, one has only to examine a number of the history theses in French—those in Latin are well understood to stand on a different footing—such as the recent works of Petit-Dutaillis on Louis VIII. and of Funck-Brentano on Philip the Fair and Flanders. The earlier American theses preserved the German idea, but there are some recent indications of a trend in the French direction; certainly volumes like Coffin's *Quebec Act*, Hazen's *American Opinion of the French Revolution*, and several of the *Columbia Studies* and *Harvard Monographs*, are not of the traditional type.

Until the present year the French doctorate was practically closed to foreigners, since the government steadfastly refused to accept equivalents for the *licence*, which does not correspond exactly to any degree elsewhere, and no student ready to carry on advanced work cared to devote his time to preparing for the rhetorical compositions necessary for this degree. Recently, as a result of the praiseworthy efforts to remove obstacles which repelled foreign students, without impairing the value of the doctorate for French citizens, the newly constituted universities have been empowered to create and confer degrees which shall attest the scientific attainments of the recipients

but cannot carry with them any of the legal privileges of existing degrees. In the exercise of its new authority the Faculty of Letters of Paris voted in January, 1897, to establish the *doctorate de l' Université de Paris*, open to native and foreign students. The new doctorate demands of the French candidate the *licence* and of foreigners a certificate of previous training satisfactory to the Faculty; the period of study must extend over at least four semesters, two of which may be spent at another university; and the final tests consist of a thesis and examinations in two subjects.[1]

The *diplôme d'études supérieures* is an innovation of the year 1894 which is at present limited to the subjects of history and geography. Preparation for this degree involves the presentation and public discussion of a thesis—the more meritorious of these are hereafter to be published by the Faculty,—the treatment of an historical and a geographical problem assigned in advance of the examination, the critical commentary of a text, and examinations in geography or one of the sciences auxiliary to history. This diploma is a stage in the *agrégation d' histoire et de géographie*, the competitive examination for professorships of history and geography in the *lycées*, but it may also be sought independently by any one, without restriction of age, race, or academic degree. The thesis is supposed to show the candidate's power of investigation in much the same way as the German dissertation, and it is the hope of those interested in the new diploma that it will represent about the same degree of attainment as the German doctorate.[2] Whether this will prove true depends entirely upon those who have the conferring of the degrees in their hands, particularly since a sufficient preliminary training, guaranteed in the case of candidates for the *agrégation* by the necessity of having first received the *licence*, is not secured by any formal requirement in the case of other applicants. Should a high standard be maintained, the *diplôme d' études supérieures* will certainly prove attractive to foreign students, not because it is easier to obtain than the doctorate, but because it corresponds more nearly to the needs of the student at this stage in his development.

The École Pratique des Hautes Études is the child of Victor Duruy. Finding it impossible to bring the Faculties to accept his ideas of university reform, Duruy determined to found a new

[1] See the report of the committee of the Faculty in the *Revue Internationale de l' Enseignement*, March 15, 1897; and compare the report of Lavisse to the Conseil Supérieur de l' Instruction Publique in the same journal, October 15, 1897.

[2] See the opening addresses of Lavisse and Langlois in the *Revue Internationale de l' Enseignement*, November 15, 1895, and November 15, 1897. There is an interesting set of reports on the *diplôme d' études supérieures* in the various universities in the same journal for September 15, 1897.

school, whose prime object should be to teach its pupils how to study and investigate for themselves, and whose influence, he hoped, would in time destroy the old system of education. As established in 1868, the École Pratique consisted of four sections (now five), one of which comprised history and philology. The work of the school is open to all, "without condition of age, degree or nationality," who are willing to take active part in its exercises and can satisfy the instructor of their ability to do so. Beyond this there are no restrictions on the number and choice of courses and no fixed term of study. Those who have been in attendance three years and present a satisfactory thesis receive a diploma. Until it entered its quarters in the new Sorbonne last fall, the section of history and philology had its home in the upper rooms of the old university library, where the students were placed in the midst of the books and enjoyed opportunities of freer intercourse with their professors than is usual in France, so that some have questioned whether the spirit of the school will not lose something by abandoning its outgrown library garrets.

From the very beginning of the École Pratique the most active spirit in the development of its historical department has been Gabriel Monod, the accomplished editor of the *Revue Historique* and at present director of the section of history and philology. Associated with him are six well-known scholars: Thévenin, Roy, Giry, Longnon, Bémont and Reuss. Each instructor gives two courses, which are of an advanced and special character and are generally conducted on a plan similar to that of the German seminary. The subjects vary somewhat from year to year but within relatively narrow limits. Recently Monod has concentrated the attention of his students on the Carolingian period, with special reference to its legislative monuments, while Thévenin considers subjects of early Germanic law. Giry's conferences, admirable examples of historical method, are confined to the history of the ninth and tenth centuries, one exercise being at present devoted to the critical study of an annalist and the other to studies on the diplomatic sources of the period with reference to his forthcoming edition of the charters of the later Carolingians. Bémont treats by preference topics in the medieval history of England, a field in which he is an acknowledged master; frequently he gives one hour to lectures on the sources of English history and the other to the detailed study of some special topic. Longnon's work lies in the field of French historical geography, which he has made so peculiarly his own; Roy deals with the history of the later Middle Ages; Reuss has recently been added to the corps of teachers in order to give instruction in the history of modern Europe[1]. Stu-

dents of history may also attend with profit some of the related courses in the history of religions, which now form the fifth section of the school.

The École des Chartes, first established in 1821, is a special school for the training of archivists and librarians for the public service. The number of regular pupils admitted each year is limited to twenty, selected by competitive examination from candidates who have taken the bachelor's degree and have not passed the age of twenty-five; but the exercises of the school are freely open to the public, and there is always a good attendance of hearers at certain courses. The programme of studies covers three years and includes palaeography, diplomatics, archaeology, Romance philology, the history of French law and institutions, the sources of French history, bibliography and the organization of libraries and archives. Besides passing the regular examinations in these subjects, candidates for the diploma of *archiviste paléographe* are required to prepare a thesis based upon prolonged research and involving the use of manuscript materials. The conclusions to which the investigation has led are presented in printed form, and the whole thesis subjected to rigorous public examination by a committee of professors. Although the work of the school embraces the whole period down to 1789, particular emphasis is laid on the Middle Ages. The courses are not designed to give a systematic survey of the field of history or to study special periods in detail; the aim is rather to afford a comprehensive and thorough training in the subjects auxiliary to history, with special reference to the needs of future custodians of historical materials. In many respects unique, the work of the school has been of great importance in the development of sound historical scholarship in France, and it is held in high regard in other parts of Europe, where its example has been followed in the creation of institutions like the Scuola di Paleografia at Florence and the Institut für österreichische Geschichtsforschung at Vienna and in the recent movement for the establishment of a similar school in England.

From the nature of its work the École des Chartes appeals to but a limited constituency, but no serious student of French history or of the Middle Ages in general can afford to neglect it, particularly since the recent removal from the ill-lighted and inconvenient quarters at the Archives Nationales to the new building adjoining the Sorbonne has made it easily accessible to all. The much loved Gautier is gone, and with him the famous potpourri of palaeography

[1] The section publishes a series of monographs, the *Bibliothèque de l'École des Hautes Études*, and an *Annuaire*, containing, besides the general regulations, reports on the work of the previous year and announcements of current courses.

and medieval lore which he served with such good humor, but one may still learn to read old manuscripts from his successor, E. Berger, while masters like Giry, Paul Meyer, A. Molinier and de Lasteyrie challenge comparison with the best in Europe.[1]

The École Libre des Sciences Politiques is a private institution, occupying quarters in the Rue St. Guillaume, about fifteen minutes' walk from the Sorbonne. It was established in 1871 primarily for the purpose of fitting young men for the civil service, and while it also gives opportunity for a good general training in political science, its organization and character are determined by the examinations of the various government departments for which it prepares. The plan of study covers two years and is divided into four sections: administration, economics and finance, diplomacy, and history and public law. The courses are of two types, the set lecture and the informal conference, which is usually devoted to the consideration of topics parallel to those treated in the lectures; the students also meet for reviews under quiz-masters, and the more advanced in each department are formed into groups for the purposes of investigation. As no previous knowledge of economics or political science is required for admission, the courses are of an elementary and descriptive character. History does not occupy a large place in the programme, the only historical matters treated being the constitutional development of France and certain other countries in the nineteenth century, the diplomatic history of Europe since the Treaty of Utrecht, and recent political history. The American student would probably be most attracted by the courses of A. Leroy-Beaulieu on current politics, Vandal on the Eastern question, and Bourgeois on the diplomacy of the eighteenth century, and by Sorel's excellent account of diplomatic history since 1789. Boutmy, the director, whose studies in comparative constitutional law have been so favorably received in America, does not lecture.[2]

If we combine the forces of the four institutions to which we have limited ourselves, it appears that there are at Paris three lecturers on ancient history, ten on medieval, twelve on modern, and three on subjects which do not belong to any single period. The relatively small amount of attention given to ancient history is at once evident. Bouché-Leclercq and Guiraud do good work, and

[1] The *Livret de l'École des Chartes*, published in 1891, contains a brief history of the school, accompanied by official documents, and a list of its graduates with the subjects of their theses. Current news appears in the *Bibliothèque de l'École des Chartes*. *The Everyday Work of the École des Chartes* is described by W. E. Mead in the *Academy* (Boston), December, 1890.

[2] The school publishes each year a pamphlet giving the *Organisation et Programme des Cours*, sold at one franc. Current information also appears in the *Annales de l'École Libre des Sciences Politiques*.

are re-enforced by classical scholars of the type of Havet, Cagnat and Boissier, as well as by eminent Orientalists, but it is obvious that one whose special interests lie in the field of Greek and Roman history—if any such should some day come to light in America!—will seek instruction elsewhere than in Paris. Modern history, the field which on the whole ought to offer the greatest attraction to the American student, is well represented and counts among its professors probably the most brilliant historical lecturers at Paris; there is, however, for this period a marked absence of seminaries or "practical" courses. For the Middle Ages there is no lack of opportunity, whether in lecture, seminary, or the auxiliary sciences so necessary to the medievalist, and it is probably in this field that French historical scholarship has won its greatest triumphs and offers its largest facilities. In both the medieval and modern periods the work is rather closely limited to the history of France, obviously a greater disadvantage to the native than to the foreign student, who has little opportunity to study French history elsewhere.

The proportion of set lecture courses is smaller in France than in Germany, as the French system compels university professors to spend the greater part of their time in preparing men for the *licence* and *agrégation* and examining candidates for the bachelor's degree, so that at the Sorbonne a professor will frequently give but one lecture a week. The lectures are, however, prepared with great care, both as regards matter and form; the old type of public address in which the professor "said nothing but said it nicely" has, in history at least, quite passed away, and nothing is more characteristic of the younger generation of historical scholars in France than their horror of declamation or rhetorical padding of any sort. Indeed, their directness and simplicity and rigid exclusion of irrelevant matter compensate in some degree for the infrequency of their appearance, so that it is no rare thing for a professor to accomplish as much in one exercise of an hour or an hour and a half as most Germans succeed in doing in three or four of their shorter periods.

There is always a certain attraction in comparing the characteristics of two peoples like the French and the German, but such comparisons are apt to be superficial and misleading, especially in the world of scholarship, where national distinctions are fast tending to disappear. With all that they have gained in thoroughness and accuracy—matters for which they are largely but by no means wholly indebted to German models—French students of history have not lost their power of effective organization and presentation of material. No one could maintain that in France, where they have only in recent years been placed upon a substantial basis, historical

studies are so well organized or have produced so much good work as in Germany, but the quality will not suffer by comparison; and in the midst of the vast mass of historical publications of every sort the French have been able to preserve a juster sense of proportion in their work, as well as a certain originality and freshness of view born of contact with fields of investigation in which much still remains to be discovered. It should also be observed that the Romantic movement spent its force much more quickly in France than in Germany or England; except among the adherents of the old régime, the French manifest a sharper detachment from the past and a more objective attitude toward it than either of the other peoples mentioned. This is the result, partly of the Revolution, partly of the national lack of sentiment; while it limits the power of sympathetic interpretation, it checks the tendency to idealize the good old days and to obscure the vital distinctions between different periods; it places less emphasis upon survivals and reversions and more upon the reality of historic change. Another characteristic of historical work in France—the clerical party being of course excepted—is its marked secular character and its impatience of anything that savors of mysticism or metaphysics.

In the correlation of history with other subjects, the French universities are at a disadvantage as compared with those of America or Germany. The combination of history with geography in the *lycées* compels an artificial union of these subjects in the universities, which, while perhaps serving to call attention to an adjunct of history too often neglected, separates geography from geology and cognate studies and divorces history from its natural associates, economics and political science. Indeed, since very little instruction in social and political science is given in the *lycées* for which they prepare teachers, no regular provision is made for these subjects in the faculties of letters, and the student who desires to broaden his work in these directions must have recourse to the Law School, the Collège de France, and such private institutions as the École Libre des Sciences Politiques and the Collège Libre des Sciences Sociales—the last an interesting attempt to supplement the work of other schools by short courses in economic method and doctrine. The dangers of such a division of the social sciences, in weakening the hold of history upon the present and encouraging a purely doctrinaire treatment of economics, it is not necessary to point out.

No enumeration of the historical resources of Paris would be complete that did not include some mention of the Bibliothèque Nationale, the largest collection of printed books in the world and the treasures of unpublished materials for history preserved here

and at the Archives Nationales, as well as at various lesser depositories, and constituting a richer body of manuscript sources than is possessed by any rival university centre. It should however be observed that in the matter of access to books the German student has, on the whole, the advantage over the French. It is not easy for an American to conquer his impatience at the vexatious delays of any Continental library, and I have certainly no desire to pose as the defender of the German system; but the majority of German libraries have at least the merit of being catalogued and of keeping their periodicals up to date and accessible, and the inconvenience of discovering that a book has been lent from a German library is certainly no greater than that of learning that the desired volume of the Bibliothèque Nationale is at the binder's or cannot be found. Worst of all, perhaps, is the fact that the seminary library, the unfailing resource of the German student and one of the greatest advantages of the seminary system, is entirely lacking to the general student at Paris. Only for the user of manuscripts are the facilities there better than in Germany.

On the whole it is the advanced student of history, and not the beginner, who will derive most advantage from a sojourn at Paris. The immature youth, who has not yet secured a good grasp of the essential facts of history, who has not received some substantial training in investigation, and who has not some clear ideas concerning the nature of historical study and the reasons why he is pursuing it—a man of this sort is ill prepared to work wisely amid the multiplicity of special courses and the manifold distractions of the French capital. Thanks to the rapid development of American universities in the past twenty years, it is no longer necessary to cross the Atlantic in order to begin one's historical apprenticeship, or even in some lines in order satisfactorily to complete it; and there can be no question that the proportion of those who pursue their entire graduate course abroad is steadily decreasing. Their place is being taken by a growing number of mature students—professors on leave, travelling fellows, newly-made doctors, and others—who desire to continue work already well begun here. During their residence abroad these men will no doubt increase their stock of historical information and learn valuable lessons in historical method, but their greatest profit will come from access to great collections of historical material, from the stimulus of contact with new teachers and new ideas, and from first-hand knowledge of the monuments of the European past and the life of the European present. To such students Paris offers a warm welcome and a wide opportunity.

Charles H. Haskins.

FEATURES OF THE NEW HISTORY: APROPOS OF LAMPRECHT'S "DEUTSCHE GESCHICHTE"

Few historical writings of the nineteenth century have met, on the one hand with such hearty welcome, and on the other hand with such passionate opposition as has Lamprecht's *Deutsche Geschichte*. But three years after the appearance of the first volume a second edition was begun, in 1894; and all through Germany the leading journals, magazines, and educated readers in general, joined in commending the new work. Public interest now-a-days is not limited to political questions alone; it is more and more occupied as well with social phenomena in various other lines. And here, finally, was a History of the Vaterland which recognized in past centuries conditions and problems like those which attract most attention at the present time. What more natural than that it should find sympathetic readers? Reviewers pointed out the importance it assigned to economic life, and discussed with enthusiasm its treatment of the evolution of the national civilization; the methods used they found to be new, the points of view modern, and therefore acceptable.[1] This book evidently responded to the spirit of the day. Later, however, when scholars had had time to make a detailed study of the successive volumes, appeared some of the hardest, most bitter criticism ever given to a work possessed of such dignity and of such guarantees of scientific preparation.[2] It was attacked on grounds, among others, of inaccuracy, of plagiarism, of wrong method, of disregard of essential facts, and of being based on entirely wrong historical conceptions. As a result there arose a conflict[3] of no inconsiderable proportions between Lamprecht on the one side and several representa-

[1] The general character of the best early reviews is illustrated by: G. Winter, *Die Begründung einer social-statistischen Methode in der deutschen Geschichtschreibung durch K. Lamprecht*, in *Zeitschrift für Kulturgeschichte*, I.

[2] The most noteworthy criticisms have been those by: Rachfahl, *Deutsche Geschichte von wirtschaftlichem Standpunkt*, in *Preuss. Jahrb.*, LXXXIII; von Below, in *Historische Zeitschrift*, LXXI; compare Lamprecht's answer in *Deutsche Litteraturzeitung*, XIV. 1499; Finke, *Die kirchenpolitischen und kirchlichen Verhältnisse zu Ende des Mittelalters nach der Darstellung K. Lamprecht's* in *Römische Quartalschrift*, IV. suppl.; id., *Genetische und klerikale Geschichtsauffassung*, Münster, 1897, 38 pp.; Hintze, *Ueber individualistische und kollektivistische Geschichtsauffassung*, in *Historische Zeitschrift*, LXXVIII.; Lentz, in *Historische Zeitschrift*, LXXVII.; Blondel, in *Revue Historique*, mai-juin, 1897; Oncken, in *Preuss. Jahrb.*, July, 1897.

[3] This conflict forms the subject of a short article by M. Pirenne, in the *Revue Historique*, mai-juin, 1896, entitled *Une Polémique historique en Allemagne*.

tives of an older school on the other, in which the field, object, and method of historical science have been the main questions at issue, and in the course of which it has fallen to the author himself, to be the first to point out the chief aims and original features of his History.

Under these circumstances it is not the purpose of this article to add another to the already numerous criticisms of this epoch-making book. The task of testing in what measure Lamprecht has told the real truth concerning the history of his people shall be left for others. We prefer to try to bring together here in one view some of the most important lines of thought to be found in the *Deutsche Geschichte*, and in the conflict still going on over it, which are of importance to historical science in general and which may well be taken into mind by all by whom history is studied or taught. This endeavor involves a statement of the fundamental features of the work itself, and a contrasting of certain directing influences which it illustrates with those prevailing heretofore.

The first edition was sent out accompanied neither by a preface nor by an explanatory note of any kind, with the aim that the book should speak for itself.[1] The author was conscious, however, that its underlying idea would give offense to the older representatives of the profession, and that he could, therefore, expect a debate over the principles of historical science.[2] He was not disappointed, and in the course of the controversy he has taken occasion to bring to brighter light his ideas on these principles;[3] ideas, moreover, which form the kernel, the fundamental features of his History. Perhaps the first step toward understanding them may be taken by observing some of the paths followed in the preparation of the work in which they are embodied.[4]

First, Lamprecht read systematically the sources for German church history and for German history in general, of the tenth

[1] Lamprecht, *Deutsche Geschichte*, zweite Aufl., Vorwort.

[2] Lamprecht, *Alte und neue Richtungen in der Geschichtswissenschaft*, Vorwort.

[3] See especially: a. *Deutsche Geschichte*, Vorwort. b. *Die gegenwärt. Lage d. Geschichtswiss.*, in *Zukunft*, February 8, 1896. To this Fr. Meinecke made a short reply in the *Hist. Zeits.*, LXXVI. 530 f.; and Lamprecht answered in *Zum Unterschiede d. ält. u. jüng. Richtg. in d. Geschichtswiss.*, in *Hist. Zeits.*, LXXVII. 257 f., accompanying which is a short *Erwiderung* by Meinecke. c. *Das Arbeitsgebiet geschichtl. Forschung*, in *Zukunft*, April 4, 1896. d. *Die Geschwissenschaftl. Probleme der Gegenwart*, ibid., November, 1896. e. *Eine Wendung in geschichtswissenschaftl. Streit*, ibid., January, 1897. f. *Alte und neue Richtungen in d. Geschichtswiss.*, Berlin, 1896, 79 pp. g. *Was ist Kulturgeschichte? Beitrag zu einer empirischen Historik*, in *Deutsche Zeits. für Geschichtswiss.*, N. F., 1896–1897, pp. 75–150.

From a close study of the last two in particular I have drawn extensively in preparing this article. The individual references made to them in the following pages aim to indicate at least those instances where the indebtedness is most direct.

[4] Cf. *Was ist Kulturgeschichte?* pp. 127 f.

century; from which he acquired the knowledge of an intellectual life entirely different from that of to-day. Then supplementing the information drawn from written sources by a study of the art of the same century, he found the knowledge already acquired confirmed; also that the general psychic disposition characterizing the art of the time was identical with that of customs and literature. Wishing, now, to measure the difference between the spirit of the feudal epoch and that of to-day, it soon became evident to him that the only way to make this difference intelligible was to follow the various changes from century to century down to the present time; therefore he extended his task to gaining a clear view of the successive, psychically different periods of the last eight hundred years of German history. Meanwhile, however, he had come to the conclusion that all these studies would remain in the air unless he followed at the same time the development of civilization on the material sides of life. The thoroughness of his researches in this direction is fully illustrated in the *Deutsches Wirtschaftsleben im Mittelalter*.

But could there be, after all, common foundations for the various classes of phenomena? This exceedingly difficult problem was approached first in the field of *Geistesleben;* and here, happily, certain deeper relations were found characterizing the development of art, literature, religion, customs and law. It proved that in these domains six different periods of growth can be discovered: one of symbolism, before the tenth century; of typism, from the tenth to the thirteenth; of conventionalism, from the thirteenth to the fifteenth; of individualism, during the sixteenth, seventeenth and first half of the eighteenth; and finally, one of subjectivism, since the middle of the eighteenth. And that which is common to all these periods is, that from epoch to epoch the soul-life becomes more and more intense; its composition grows finer; the passions become more balanced, the power of interpretation and the methods of intellectual activity more searching. Of greater importance, however, than this discovery was a second: that the stages found to be characteristic of the development of civilization on the side of purely *geistig* phenomena proved to be identical at basis with the chronological divisions in the growth of civilization on the material side of life. So, the period of symbolism corresponds essentially with the industry of fishermen, hunters, shepherds and very primitive farmers (*occupatorische Wirtschaft*); the epochs of typism and conventionalism respectively with two especial features of that industrial activity which rested in general on the growth first of collective, then of private property in land (*Naturalwirtschaft*); while individualism and subjectivism fall in likewise with two similar stages—col-

lective and individual—in that régime which exchanges and pays in money (*Geldwirtschaft.*)[1]

Once this result was reached it became clear that all the so-called social-psychic factors must have some inner coherence; and that coherence Lamprecht tries to point out, not for the entire evolution of the German people, to be sure, but for that fragment of the general typical unfolding covered by the periods just named. It appears in the fact that this fragment of the general unfolding is tied together through its successive stages by one common, all-pervading tendency; namely, a constantly increasing intensity of the social-psychic life. *Geldwirtschaft* is a more intensive form of economic activity than *Naturalwirtschaft.* The painting of a Dürer, in the individualistic period, is more intensive than that of the miniaturists of the conventionalistic epoch; and at the same time less intensive than that of, say, Adolph Menzel in the period of subjectivism.

One's justification in arranging the periods according to the principle of a progressing psychic intensity, it is worthy of remark, need not rest on empirical grounds alone; for support can also be found in certain general psychological facts.[2] The principle of the creating synthesis holds for the social-psychic as well as for individual-psychic causality: namely, that the sum of a number of creative psychic activities is not identical with the product of these same activities; the product is much greater. Now when a number of social-psychic factors, in continual activity, are arranged side by side, as is the case in any normal historical development, especially in any regular national unfolding, there must arise as a result of their working a continually increasing excess of psychic energy; that is, historical life must move in a constantly growing psychic intensity.

Having indicated the main paths followed by Lamprecht toward the writing of his *Deutsche Geschichte*, we may venture next on a more inclusive and direct characterization of its distinguishing ideas.

To begin with, according to the announcement prefixed to each volume of the second edition, the author seeks to describe, by the side of political development, first of all, the development of conditions and of the *Geistesleben;* for questions of civilization, compared with those properly political, are of equal, if not of far greater importance. He promises[3] to make an earnest attempt to show clearly,

[1] Cf. further Lamprecht, *Deutsche Gesch.*, III., Einleitung.

[2] See page 447 in regard to the relations of individual and social psychology to history.

[3] "Es wird der ernstliche Versuch gemacht, die gegenseitige Befruchtung materieller und geistiger Entwickelungsmächte innerhalb der deutschen Geschichte klarzulegen, sowie für die Gesamtentfaltung der materiellen wie geistigen Kultur einheitliche Grundlagen und Fortschrittsstufen nachzuweisen." *Deutsche Gesch.*, zweit. Aufl., Ankündigung.

in the field of German history, the mutually fructifying influence of material and spirit forces of development; and likewise to explain what have been the uniform foundations for, and the steps of progress in, the united development of the material and spirit factors of civilization.[1] The thoughts thus stated so compactly echo the successive conclusions reached by Lamprecht in the course of preparing his History; and they bespeak the actual, fundamental features of that work.[2]

The regular factors in history, which find expression within the frame of national evolution, fall naturally into two broad classes: those which can be traced to the free-will impulses of individuals, and those which are imbedded in the collectivity of individuals. The first class is not subject to subdivision. It includes forces which, being directly related to some singular will, must be treated accordingly. In either lower or higher civilization, however, the activity of the individual is closely limited; whether less so in the higher than in the lower is even still a question. Whatever may be found, in particular instances, to have been the influence of a great personality, there are whole fields of history where such influence is possible only to the slightest extent; for example, those of customs, of so-called mythological ideas, of language, and in a certain sense, of law and industry. In all these directions the character of life is determined almost entirely by the psychic state of the collectivity of persons. What the individual can accomplish is little, and must first be assimilated and modified by the collectivity before it becomes a part of real historical life. In this connection arise many fruitful problems concerning the degree to which the individual's activity is assimilated, and in what measure the social body determines the activity of persons; but sure it is that strong personalities can push forward the tendencies of the psychic collectivity of a given time or in some particular place. By a specially keen understanding of the will, feelings and vague ideas of the social body, and by the power of expressing that understanding in deeds, they can assist these tendencies toward fuller clearness and wider acceptance. And they need not be slaves entirely of the drifts in the collectivity. They can contribute something from themselves.

The second class of regular factors on the contrary is subject to

[1] For these features, a summary of which follows, see, aside from the *Deutsche Geschichte* itself, Lamprecht's article on *Was ist Kulturgeschichte?* passim.

[2] The word material should not be understood as referring to dead elements of matter of any kind. It stands rather for those psychic factors of civilization which are most closely bound up with these dead elements. One can conceive of exertions, habits, ways of thinking in connection with economic activities without identifying them with land, grains, products of manufacture, mediums of exchange, and the like.

subdivision; first of all, into natural on the one hand, and social-psychic on the other. Among natural factors may be named: climate; quality of the soil; configuration of the land; features of the locality, especially relative amounts of land and water; natural scenery, and nature phenomena; flora and fauna; anthropological character, particularly the physical nature of the people. These are all constant, and contribute continuous influences toward historical variation. They may be looked upon as conditions, in the proper sense of the word.

The social-psychic factors are to be found in the content of the *geistig* habits of the collectivity of a given time.[1] These are not to be admitted as conditions, though they are usually spoken of in this way, but as causes in themselves (*Ursachen*) of historical growth, of that which happens; a view not new in itself but new in its application by a historian properly so called. If now one but reflects on the quantitative value of the causal capacity in the social-psychic factors, on their never-ending creating of new power, he will understand clearly enough, for the purposes of this article, in what measure they outweigh personal initiative, even that of the strongest, and how, out of their combination especially, go forth those irresistible psychic streams which rule the world. To describe these factors as they have been in any given time or place, it is not sufficient to construct a sort of mosaic, or schematic co-ordination of the different classes of facts; it is not enough to look at them thus, as a background, as passive conditions subject to handling by individuals. They are much rather to be represented as living, working forces, of strong causal capacity, and united in a never-ending, never-resting conflict.

But after all, what are these factors? How many of them are there? How shall they be described further? Indeed, to understand at all the real nature of these several factors, and to determine their number with relative accuracy, it is of comparatively little help to classify them under such names as moral, intellectual, æsthetic, religious, legal, political, industrial, and so on. Rather should each one be studied in the light of its origin and gradual development. It so happens, however, that the deeper exploration of these ground-elements in history can be carried to an end only with the aid of ethnology, psychology and physiology; for the historian himself cannot work back of the time or stage of progress at which a people begins to look upon itself historically. At present, to be sure, the results are largely provisional; but for the sake of some sort of a

[1] "Die sozial-psychischen Faktoren bestehen in dem Inhalt des geistigen Gesamthabitus einer Zeit." *Was ist Kulturg.?* p. 112.

genetic, specific classification of the foundations of historical life they should be accepted as a working basis. Accordingly, as social-psychic forces of earliest origin, corresponding to will, imagination, and feeling as activities of individual *geistig* life, appear industry, consisting at first purely of a struggle to sustain the species; the simplest form of thinking, bound up with language; and the most rudimentary expressing of the feelings, the beginnings of art. Later, as the individual-psychic activities become more definitely incorporated into the social body, customs, myths and an ornamental-symbolical art are evolved; and out of these in turn gradually arise religion and morals. Finally, as remoter reflections of the original evolution-potencies,—namely, will, imagination, or representative power, and feeling,—appear law, science and the higher expressions of art.

With the exception of scientific thinking and highly developed art, all these factors show themselves at the beginning of the historical period of folk-life, and they exist in a social-psychic unity, closely bound together and at all times dependent upon each other. Heretofore it has been the custom to emphasize some particular one, and to make others of inferior importance or suppress them altogether. Many have assigned the chief position to the moral forces, others have considered the material elements as all-determining, while still another large school have found the real agent of progress to be the intellect. These views, however, are all one-sided. The world of social-psychic forces is a unity, and as a unity it must be studied and understood. There is as little right in subordinating the sum of forces to some particular one as in holding any one of them unworthy of consideration; for no one of these forces has an existence of its own. A connection arising out of the most intense acting and reacting upon each other pervades them, while at the same time the product of this inter-activity is itself subject to the influence of similar products of the past and in turn acts as a cause for the future; and therefore none of them can be left out of account in efforts to determine the character either of any particular factor or of all together at a given time.

Since the product of these factors forms a unity, it is the factors all together which vary from epoch to epoch; and their varying can be subjected to periodization. The periods as arranged for German history, have already been described.[1] But further, Lamprecht looks upon his arrangement of civilization-epochs not as peculiar to the evolution of the Germans; they promise to be as well, *mutatis mutandis*, the typical stages for other peoples.[2] It

[1] See pages 433, 434.

[2] *Was ist Kulturg.?* p. 130.

may be asked, however, what scientific guarantee is there that these are the true periods for one people, to say nothing of all. Is their succession an unalterable historical law? What value, in general, can be assigned to them? So far only empirical and psychological considerations have been offered in view of these questions.[1] For a more substantial answer we must examine the method employed in determining the periodization agreed upon.

In conformity with the proposition that the determination of typical, social-psychic stages of development has throughout the character of a statistical induction,[2] Lamprecht has employed the method of statistics. If, then, the periods of civilization he describes are those reflected in statistical tables, they are worth no more than any well determined statistical rule; they can be characterized by only such laws as the logic of the method permits; that is, rules possessing almost the nature of laws, true only in general. But these rules are not lightly to be passed over because of their incompleteness, for they have a certain specific value. In every statistical observation, one has to distinguish between the constant and the variable; he recognizes that permanent causes lie below the one, transitory under the other; and the generalizations he makes seek to express correlations among the phenomena in question, and to indicate therewith the causal connections. The method being entirely inductive, he has but to descend successively to deeper and deeper levels in order to reveal more fundamental relations, and each constant interdependency discovered is a step toward an explaining of the final, fundamental bond. Statistics, in establishing the fact of connection between phenomena, lays the foundation for search after the deeper causes of these connections. Such is the rôle of this comparative method in any field where, in the midst of complicated inter-acting forces, specific successions can be shown to exist. So in biology, there is no law known that such or such an acorn must grow into an oak tree; but under normal conditions it will. Likewise with the periods of social-psychic evolution; no people has to go through these stages, but if the development is normal each one will. In biological science men have already worked long to determine deeper causes, and to frame empirical laws. Lamprecht enters in his *Deutsche Geschichte* on similar questions for the historical field. It may be freely asserted, however, that whatever generalizations are found, whatever solutions are reached, whatever fundamental forces are revealed, the end will not be disclosed; the last cause will remain as much unseen in the his-

[1] See pages 434, 435.

[2] *Was ist Kulturg.?* p. 133.

tory of men as it is in the history of plants and animals. Nevertheless we have the satisfaction of knowing that that which may be discovered by this path will have such value as can be imparted by pure induction; that it will not be deduced from irrational hypotheses.

There are left now two other questions in regard to these regular factors: First, granted that they exist in a unity and in continual interdependence, can their mutual relations be more exactly stated? If, indeed, one puts aside the theories of the older schools concerning the autocracy of intellect, or of moral or "material" forces, his first impression as to the deeper connections is that the material and *geistig* groups move along side by side without being bound into each other by any particular ties that are susceptible of direct proof; in relations, therefore, similar to those between body and spirit, between matter and life in general—a sort of psycho-physical parallel. On this view rest some occasional considerations in the first volumes of the *Deutsche Geschichte;* but the author recognizes now that they are not tenable. The relations between the individual factors are neither so simple nor so inexplicable.[1]

In any given, highly complicated mass of varying inter-activities, the typical stages of development extend severally to just those limits within which may be discerned the highest level of a particular sort of civilization. The characteristic elements of the different stages, however, need not necessarily reach every part of the social body of the time. Only in the primitive ages of undifferentiated national life, when there is relative homogeneity of the mass, does it seem that this can occur. Later, on the other hand, when new elements move out as a rule from the higher classes, they can exist for centuries without reaching the entire people. So in none but a limited sense can the periods of civilization be given a chronological character, namely, according to the sway of specially characteristic factors. In certain classes of the society, psychic elements of earlier stages may live on and never yield to others. The different periods have, therefore, no distinct boundaries; they are rather dovetailed into each other. The most ancient types live beside the youngest; the most highly cultured have neighbors struggling only for a living.

The oldest social-psychic factors, then, must always have the strongest influence, for of them alone is it to be presumed that they pervade the whole civilized body, and that their activities—varying to be sure with the successive stages of evolution—must, since in themselves they never die, have higher and higher value as time

[1] *Was ist Kulturg.?* p. 138.

goes on. Consequently, the oldest social-psychic factors—those, that is, which are bound up in industry, in language, and in that class of general aspirations out of which art, for example, arises[1]—have for every epoch in history an imperishable meaning; there is no social-psychic phenomenon, of the lowest or highest degree of civilization, in which their working cannot be discerned. The earlier stages of progress they control predominantly; it is a recognized fact that then customs, morals, and law depend, far differently than in a higher stage, upon the industrial life of the time. In later periods, however, the significance of these primitive elements moves gradually into the background, not because they are weaker, but because they are hidden more and more by the advancement of certain *geistig* factors.

Finally, considerations such as these point to a second question: By what road or roads do the new products, the new elements of civilization, reach the different parts of the social body? The possibility of their gradual assimilation is to be found in the constantly progressing organization of the civilized body. Clearly the social-psychic factors do not work, in general, directly upon each other; but only indirectly, through the medium of the social organization. In a further defining of this medium,[2] then, lies the answer to our question.

The development of the social groups is really only another side of the differentiation of the social-psychic factors; whence it follows that the most primitive social group is that natural group bound together solely by the tie of language. Perhaps, however, just as old are the earliest industrial bonds. Gradually the *geistig* bonds come into prominence, and there appear festival associations, organizations for worship, and finally churches. These are all of primitive root, while the higher groupings in *geistig* social-psychic life, resting on common artistic or scientific possessions, belong (as complete products at least) to a time of more individualistic civilization. The typical latest formation of all the primitive organizations, and at the same time the highest, is that of the law, and for the maintenance of law the State. Moreover, since the State is the highest social organization, it is also the most general; and, where evolution is normal, appears in co-ordination with the sum of the natural group-formations, the Nation. Since the State is the last and most general organization, it includes all other groups, and has the duty of representing them outside of the nation, together with absolute power over them in so far as provision for this representing is concerned. Naturally

[1] "Streben nach Erhöhung der psychischen Eindrücke." *Was ist Kulturg.?* p. 140.
[2] *Was ist Kulturg.?* pp. 141–142.

this power extends its influence inwardly as well; and for that reason all social group-formations strive on their side to work upon that influence just as the State is exerting itself upon them. In consequence, the State holds that central position which it takes in history: It is the medium through which all social force-strivings or tendencies act, whether these go out from itself or from other organizations.

The regular factors in historical life, then, appear and grow within the nation. They are the natural, the individual, and the social-psychic. These, however, do not constitute the whole sum of influences to which any given people may be subject; for evolution goes on also under the working of certain general or world-tendencies. When the civilization of one nation is brought by any means into contact with that of another, there is an interchange of influences. It may be by the processes of a renascence or by some action between peoples of the same period; in any case historical development is largely determined in this way.

So far we have tried to point out some of the characteristic features of the *Deutsche Geschichte*; and at the same time to bring them into the light of Lamprecht's own explanations. This has been done mainly with the hope that by such means certain ideas might be introduced and in part explained, which, though bearing ample fruit in many quarters, are apparently not yet recognized widely enough by students and teachers of history. In attempting a further exposition of these ideas it seems best at this point to extend the circle of thought so as to include a view of the essential differences between some old and new tendencies in historical work.

One of the first impressions coming from a look in this direction is, that after several decades of criticism and study of details, we are gradually coming into another period of generalization. But this does not express the fundamental changes in progress during the last two decades. There will, indeed, always be a place for critical scholarship; under no circumstances can "the establishment of the facts" be dispensed with, nor the methods of work that have grown up with it. Historical scholarship, however, with all its machinery, and history, in the proper sense of the term, stand for entirely different things. The first is a tool, a means to an end, for the latter as well as for several social sciences. Men will never quit looking for the different bearings of known facts, among others their historical bearings; and so trials will always be made to discern by what roads and through what experiences the world of men and of nations has come to be what it now is. The old and new tendencies, then, for which we are searching, must be only in the field of his-

tory proper. But still further limits can be set to the region where we may expect to look for them with success.

It has been the custom of late to make such distinctions as the following: Formerly there was an attempt to write general history, while now-a-days one studies nations, or one particular line, like the history of art, of religion, or of law; formerly more attention was given to political facts, now more to economic influences; again, idealistic conceptions have been gradually yielding to positive, materialistic views of human happenings. The last example, in particular, is not only inadequate in its explanation, but indicates besides an especially unscientific spirit. For whatever truth may be found in some of the current stock antitheses, certainly those which rest upon a difference of philosophic theory should be entirely discarded. There can be no truly scientific historical work which is inspired by such views—idealistic, positive or whatever else they may be. History is properly—though the fact is, alas, too little recognized—an inductive science,[1] and its progress depends not so much on the classes of facts it may incorporate or renounce from time to time, as on the degree in which it adopts, develops and applies inductive methods. From the point of view, therefore, of differences in method let us compare the old and the new tendencies.

When history had once added to its annalistic functions the duty of observing the sequence of facts, and had begun to ask after the why, it freely applied the principle involved in the question: What is the object in view? The object was adopted as the cause. Moreover, the ends sought were always particular, individual, of concrete nature; they led from fact to fact. It was the rule, for example, in the last century to refer that which happened, in so far as it was rationally explained at all, back to isolated, single acts. The principles of personal object and of individual psychology were applied to the whole field of human activity.[2] Evidently, to proceed thus is to draw all forms of causality into one class. Against this view, the idea of causality in general has been slowly gaining ground. The principle of end-in-view can clearly enough be applied as cause in a large proportion of human phenomena: those, namely, in which the action is connected especially with individual motive, is thought out, is already planned. But just as clearly is there a great proportion of human phenomena in which no particular object is involved. The individual acts, often enough, without thinking at all. There is, indeed, an immeasurable field of customary, generic happenings

[1] Cf. Lamprecht, *Alte und neue Richtungen*, pp. 3,4.

[2] This point of view has now few or no defenders in theory. In practice, however, consciously or unconsciously, it is still frequently occupied.

in which, since all people act in essentially the same way where the conditions are the same, the individual factor in the deed recedes completely into the background. How explain such phenomena by the end-in-view? Rather must the causal tie, pure and simple, be here brought into service.

From these considerations it appears that the historical method may properly fall into two divisions, corresponding to two sides of historical research: one dealing with the singular, the other with the general; the one individual, the other collective.[1] Not that the two are ever clearly separated; on the contrary, they are always amalgamated, whether it be in the line of art—one should distinguish between the artist and the style—literature, law, industry, politics, or in any other field. But since the two methods are so generally and so closely bound up in each other, their respective limits are only the more likely to be disregarded. True, much blame has to be laid on each of them. Whatever may be said against the teleological principle, the causal certainly has at times borne down the scale too low on its side. Yet, when followed with such precautions as the very nature of the material prescribes, how endless seems the possible application! For only one condition accompanies its use: that the last determined causal relation shall be in harmony with all those previously known. The progress this principle has already made may be seen partly in the complaints of some representatives of the older school;[2] partly, again, and to more advantage, in the relation it holds to the evolutional studies which form so prominent a feature of recent historical work.[3] In fact no one can write history from an evolutionary point of view, unless the facts can be bound together causally so that the representation of them may proceed in chains of reasoning whose several links are tied together as by necessity.[4] The teleological view goes from the facts back to some motive; but there is nothing absolutely necessary thus brought out, for each motive in the chain may have resulted from free-will decision. History written after this manner must be pragmatical, while the evolutionary representations, on the contrary, are

[1] "Individuale, eminente Handlungen werden immer durch im Sinn des Zweckbegriffes verlaufende Hypothesen miteinander zu verknüpfen sein. Handlungen dagegen und Handlungskomplexe, welche sich als einer bestimmten Lebenshaltung gewöhnlich angehörig characterisieren, mithin generischer Natur sind, werden der Aufhellung durch Hypothesen bedürfen, die von der Annahme eines kausalen Verhältnisses ausgehen. Demgemäss treten als die beiden Seiten geschichtlicher Forschung Personen- und Lebenshaltungsgeschichte, individuale und generische oder kollektivistische Geschichte auseinander." *Alte u. neue Richtungen*, p. 6.

[2] The recent historical controversy in Germany furnishes several illustrations.

[3] See K. Breysig, *Ueber Entwicklungsgeschichte*, in the *Deutsche Zeitschr. für Geschichtswiss.*, N. F., 1896–97, pp. 161–174 and 193–211.

[4] *Alte u. neue Richtungen*, p. 9.

characterized by the widest possible causal conception of that which happens.

The significance of the use of purely inductive methods appears to good advantage in their application to the phenomena of constitutional law.[1] The practice of the older school has been to picture the conditions of a given period by systematic arrangement of particular categories of facts; and then, when the succession in time of several such social states has been shown, by the medium of juridic thinking—by a formal road, that is—to trace the descent of the different categories of later from those of earlier conditions, without considering that every single tracing of origins should have regard for the united, inter-dependent life pervading each social state. The new, evolutional historical research, on the contrary, aims to show rather the development-tendencies lying at the basis of each particular institution. The formal garb of the institution, up to late years the preferred, almost the only, subject of study, takes a secondary place; its structure is seen clearly enough as soon as a deeper study reveals the several evolution-movements which condition that structure. The chronologically arranged pictures of the constitutional conditions give place to the representation of a permanent stream of industrial and other social transformations, whose mutual relations at any given time determine the contemporary social organization. Nor does this mean that the work of description should be given up. It will indeed always have its place, namely, to show what was developed at such and such a period; therein, however, lies only a part of the historian's mission. The evolutional method is more intensive; it wishes to determine the real components of social life, and then to understand that life better by following the mutual relations and changes of these components.

Nevertheless, not all members of the older school have limited themselves to such work as that of the descriptivists. A considerable number of those writing from the individual, from the political point of view in the narrower sense, have tried to go to the root of things, to show what essential factors have been at work in history, and to refer that which happens to their activities and mutual relations. The most notable of these in the present century is the great master himself, Ranke; and to this day he seems to be the patron saint of a widely extended cult. If, now, we follow his disciples to their shrine of shrines and study their innermost thoughts, the difference between the earlier and the later tendencies will appear still more striking.

Without attributing to Ranke any particular philosophical sys-

[1] Cf. Lamprecht's review of Inama-Sternegg's *Deutsche Wirthschaftsgeschichte*, II., in the *Jahrb. für Nationalökonomie und Statistik*, 1895, LXIV. 294 ff.

tem, it can be said that his historical thinking centers fundamentally about two points,[1] an idealistic view of the world, in the sense of the *Identitätsphilosophie*, and a universalistic conception of history, essentially in the sense of the cosmopolitanism of the classical German literature.

He was conscious of a God who is hidden to the world but who at the same time fills it all; a God whose relations to us are mystical, not to be understood by the reason. He manifests himself in man; the actions of man are determined by a mysterious Being; so, further, the products of human action are manifestations of that Being. All history is at basis a divine mystery. The world of everyday life with which we stand in immediate relation and to which the reason can be applied, is one of appearance, not the real world.[2] Closely associated with these views is his idea of universal history. In the actions of men, and of nations or states, must be found that which is general. The actors must all be studied to discover in what degree they express divinely originating powers which work through them. Individual, nation and state are agents of a world movement; and in so far only do they form the real material of history. Such, in brief, are the general hypotheses of Ranke's ideology. Furthermore, the mediating powers—those, that is, which while acting in the world are connected in some mysterious way with God—are the "ideas" which Ranke was always telling about. They are "the objective ideas," "the higher potencies," "the powers born in the elements and holding them together," "the general ideas that bear in themselves the life of the human race," "the powers of the living *Geist* which move the world from its foundations;" they "have in them that which is divine and eternal;" they are "the thoughts of God in the world;" "they are life-giving, are life itself, are moral energies;" "though not to be defined, they can be perceived;" "they unfold, take their place in the world, come forth in the most varied forms, combat, limit and overcome one another. In their acting and reacting upon each other, their succession, their life, their passing away and coming again, lies the great secret of history."

It is hard to detect here much of the scientific spirit of to-day. No matter how high the value ascribed to Ranke, he remains the child of another age. To him the phenomena of the historical world are not explainable through forces inherent in its being and activity; for him the task does not consist in characterizing, always

[1] Compare, for this discussion of Ranke, Lamprecht's *Ideenlehre und die Jungrankianer*, and the references there given; No. II. in *Alte und neue Richtungen*.

[2] "Der Welt der Wahrheit steht eine Welt des Scheins gegenüber, die auch in die Tiefe geht und immer tieferen Schein entwickelt, bis sie in die Wesenlosigkeit ausgeht; jene endet im Wesen." Ranke, *Gesam. Werke*, LIII.–LIV. 570.

more closely in consequence of ever more intensive research, the expressions of these forces, and in tracing them wherever possible to simple inherent unities—finally back to a few agents. To his mind the aim of science is not the unification of the elements of knowledge, but rather the determination of a large number of special movements, each of which results from the action of some particular "idea."[1] Moreover, be the reasons what they may, on the eve of the twentieth century there are still circles of influence where, to a greater or less degree, Ranke's way of thinking prevails. Frequently enough one reads of the *geistig* factors as the only working forces; of the others as conditions, pure and simple. Notwithstanding great discoveries in causality, in the world of *Schein*, teleological proofs still flourish. But against this irrationalism rises, stronger each year, an entirely different spirit. "I can very well think of a world," says Lamprecht, "one part of which appears to me as intelligible, while another part I must characterize as non-intelligible; under the condition that the problems of this latter are to be solved in the future, even if a late, perhaps endless future."[2] Further, as for general history, to the modern school the Rankian point of view is unthinkable. Some time one may be able to make trustworthy generalizations in the universal realm; but for the present historical research, like that in the natural sciences, is more intensive and applies itself especially to national development, in the hope of discovering there the simplest components of historical life. It holds that the fundamental elements do not consist of the actions of eminent persons, nor of the deeds of states as such; but rather of those factors which, taken all together and in their varied mutual relations and transformations, form the *Kultur* of the time. It sees the general currents moving along in a succession of periods of civilization. It seeks the typical stages which appear regularly in the unfolding of each nation, and looks upon the different peoples as bound together in world-history by a network of influences between the civilization of the various nations in their typically recurring stages of evolution. Each folk will receive from others into its own current those factors which it is at the given period able to assimilate, and may even bring that which it receives to higher perfection.

In view of the foregoing statements, two prominent tendencies are to be observed in the historical science of the last few generations. One of these, that of the older school, may be called individualistic, descriptive, political, since its representatives have been especially those who maintain that the political field is the proper one for history. Its essential characteristics imply an emphasis of

[1] *Alte u. neue Richtungen*, pp. 43–44.
[2] *Alte u. neue Richt.*, p. 73.

eminent persons, of the state, and of man in general. The other, that of the younger school, now rapidly advancing, is collectivistic; while recognizing the part played by individuals, it emphasizes first of all the activities of natural associations, the highest being that of the nation-state. Have we noticed clearly enough, however, what are the real foundations of the differences between these schools, and whether the one method is not, after all, a complement of the other?

It seems to be pretty well agreed that psychology must be taken as the basis of historical science, in fact of all the *Geisteswissenschaften*, in much the same way as mathematics is for the natural sciences.[1] But this being so it follows that the progress of these sciences depends in large part on the progress of psychology. Just here lies the explanation for which we are seeking. The old psychology, in so far as it was empirical, was individual psychology; it looked upon man in general as a great abstract individual, the folk as a sort of mechanical aggregate of persons. Out of it grew the theory of the social contract. On such ground rested historical writing in the days of Schlosser and Ranke; and in many respects that of the older school, though often unconsciously, perhaps, still rests upon it. The individual with them is the main subject of research; and some even go so far as to say—Schäfer,[2] for example—that only the persons of special importance are, properly, to be considered. The new psychology, on the other hand, has taken an entirely different attitude; more and more it has turned toward generic research; and while the explanation of the simpler psychic phenomena may still be left to the old method, the solution of many especially involved problems is, in part at least, sought through social-psychic studies.

With this change are brought to light new fields for historical research; new causal relations can be established, and an evolutional record drawn up. For it appears that just as a consciousness of a harmony differs from that of the different tones composing it, so when a greater or less number of human beings feel something, think something in common, the feeling or thought of all together is different from the sum of individual feelings or thoughts that enter into its composition. In each case the product of the whole includes something qualitatively new. In the one instance we call it harmony, in the other it may be, for example, public opinion, or patriotism. Given this law and its operation on society, it is clear that every social organization must be constantly creating a certain product over and above the sum of the activities it embraces, and in so far we have to reckon with a factor in social-psychic causality for

[1] Compare *Was ist Kulturg.?* pp. 77–87, and the references there given, especially those to Wundt and Paulsen.

[2] *Geschichte und Kulturgeschichte*, 1891, p. 60. Compare also his pamphlet on *Das eigentliche Arbeitsgebiet der Geschichte*, 1888.

which individuals in themselves are not responsible. Why call such factors supernatural? Why class them as irrational "ideas?" Moreover, is it not evident that in dealing with social formations the historian must recognize forces in reference to which the value of any one person is identical with that of his associates; that to the extent to which individuals unite in producing one of these social-psychic elements, they are regular, typical? But at the same time, also, irrespective of their typical value, shall he not credit at least many individuals with historical significance of their own? In truth, not all consent to the view indicated; there are those still who see at basis the singular, not the regular. The common nature of all scientific work should be kept in mind. By analysis we determine the characteristics of each object or phenomenon; by synthesis we try to bring data into their proper relations, to discover their associations, their causal connections. The natural sciences began earlier to practise sane synthetic thinking, and so are far advanced to-day. For historical science to adopt it with the same heartiness does not necessarily mean to adopt the methods of natural science; it means, rather, adopting the true methods of science in general. The so-called collective school are seeking now the evolutional, causal relations; they are trying to synthesize. But there is plenty of room for the individualists as well. Whatever the rational has not yet conquered, must be subjected to further analysis; and especially in the realm of purely individual free-will activity, the descriptive workers can find ample opportunity to supplement the results of synthesis.

To summarize briefly, the new history takes into account all the activities of man as a social being; political phenomena are neither the only facts to be considered, nor the state the element for which alone all others exist. It recognizes as the essentials in historical life certain natural, individual and social-psychic factors, whose nature, transformations and mutual relations form the civilization of any given time. The new history—and herein lies its really fundamental feature—holds to the principle of describing the human past from the point of view of rational evolution. It asks not "Wie ist es eigentlich gewesen?" but "Wie ist es eigentlich geworden?" It aims to go as near the beginning as art or science can tread; and studies to find the typical stages of development for each nation, together with the currents of life running between the different peoples. By adhering strictly to inductive methods, it hopes to trace at last just how the world of men and of nations has grown into what it is to-day and so to put into the hands of philosophy trustworthy, scientific conclusions.

Earle Wilbur Dow.

DID CABOT RETURN FROM HIS SECOND VOYAGE?

This important question of maritime history acquires additional interest from a document recently discovered in the archives of Westminster Abbey.

It is well known that John Cabot, by virtue of letters patent granted to him and his three sons by Henry VII., equipped a small vessel, and with a crew of eighteen men, sailed from Bristol in the spring of 1497, to make discoveries "in whatever part of the world heretofore unknown to all Christians." He landed somewhere on the northeast coast of the new world, and returned home after an absence of only three months. That is the origin of the regal title of England to the greatest part of North America.

As John Cabot was believed to have discovered Cipango and the Kingdom of the Great Khan, he found no difficulty in obtaining letters patent for a second expedition. Early in May, 1498, the bold navigator sailed again westward, leading a small fleet of five ships. In July following, news was received in London that one of the vessels had been forced by stress of weather to put into Ireland. That is the last that was ever heard of John Cabot's second and last voyage.

He had a son, called Sebastian, who arrogated to himself the merit of the achievement and lived and prospered, in England as well as in Spain, to an extreme old age, upon this mendacious boast. Nay, during several centuries nearly every one believed that he had been the sole discoverer of Labrador, Newfoundland, Nova Scotia and Canada, although authentic documents tend to prove that he was not even on board when these discoveries were made.[1]

Regarding the second voyage, historians, as a rule, positively asserted that it had also been accomplished by Sebastian Cabot. Thus Biddle taught that John Cabot died shortly after the patent of February 1498 had been issued, and, besides, that so far from being a seaman, he only "followed the trade of merchandise;" George Bancroft asserted that John Cabot had made no voyage whatever under the second charter; while Mr. D'Avezac maintained that Sebastian took the place of the patentee, apparently owing to the latter's "unexpected death."

[1] Warden's Accounts of the Drapers' Company of London, from March 1st to April 9th, 1521.

It was in vain that attention was called repeatedly to a series of facts showing that John Cabot actually sailed in command of the second expedition; as, for instance, that he was the sole grantee of the new letters patent; that several times he explained in person to trustworthy witnesses his plans for the second voyage; that two ambassadors, on July 23, 1498, each sent a dispatch stating that the "fleet had sailed with another Genoese like Columbus," and we know from preceding letters that it was their manner of designating John Cabot; that when relating the mishap which had occurred to one of the ships, they added: "the Genoese *has continued his voyage*," etc. What else could be desired to prove his having sailed and commanded the expedition in 1498? Yet, certain writers continued to repeat that Sebastian, not John, was the sole commander of the fleet; and so lately as July last, the Marquis of Dufferin and Ava, in an elaborate memoir, also stated that "before the expedition was ready John Cabot died, leaving the new adventure to be prosecuted by his son."

Nevertheless one historian at least could be found to maintain that John Cabot had been the real chief of the second as well as of the first expedition, although unable to say whether the bold navigator survived it or not. A Bristol compiler, however, recently argued at length that John Cabot and his companions had possibly been exterminated by Alonso de Hojeda. Unfortunately for that fine hypothesis, Hojeda remained permanently in Spain from June 11, 1496, until May 18, 1499; whilst Sebastian Cabot, who is alleged to have been on board, and must therefore have shared the pretended sad fate of his father, was yet flourishing in England sixty years afterwards.

Immediately upon John Cabot's arrival in London, August 10, 1497, he received from Henry VII. a gratuity of £10 "to enjoy himself," and on December 13 following "an anuel rent of £20, to be had and yerely perceyued from the feast of thanunciacion of our lady last passed during our pleasur of our custumes and subsidies comying and growing in our poort of Bristowe by thands of our custums there for the tyme beying at Michelmas and Estre by even porcions."

According to the terms of this annuity, John Cabot was entitled to receive £10 September 29, 1497, April 15 and September 29, 1498, March 31 and September 29, 1499, respectively, if alive at those dates. Considering that the English Public Record Office contains the most complete collection of state archives in the world, the Rolls House was, naturally enough, the first source to consult to ascertain whether there were traces of payments made on account of

Cabot's pension, to whom and when. But ill-luck will have it that the records of the reign of Henry VII. are extremely scanty. State papers for the period scarcely exist, and the Issue Rolls cease between 1479 and 1597. The only substitutes are the Tellers' Rolls, but they lack details, not being final accounts, and contain no special dates for the entries. They are all classed merely under Easter and Michaelmas terms.

That series, together with the Warrants for Exchequer Issues, were nevertheless duly examined in 1895, for the years 1485–1520. The investigation, ably carried on by Mr. M. Oppenheim, to whom the historical student is indebted for such excellent works as *A History of the Administration of the Royal Navy*, and *Naval Accounts of the Reign of Henry VII.*,[1] resulted in the discovery of an important document. This is a warrant of Henry VII., issued February 22, 1498, ordering that Cabot's annuity should be paid without further delay. It recites that having been "enformed that John Caboote being delaied of his payment because the customers of the poorte of Bristowe have no sufficient matier of discharge for their indempnitie to be yolden at their accompt before the Barons of the Eschequier," the king orders that several "tailles" of £10 each be levied and delivered to John Cabot.

Interesting as that document was in itself, it did not throw any light on the question which historians had most at heart to solve, as they knew already that John Cabot, in February 1498, had not yet sailed out on his second voyage. Only the accounts rendered by the collectors of the customs and subsidies of Henry VII. in the port of Bristol, for the last two or three years of the fifteenth century, could enlighten us as regards the question whether John Cabot had collected his pension after July 1498. But where was that class of documents to be found? Did they even still exist?

Last year one of those accounts came to light. It covered the period from September 29, 1497, until April 15, 1498, and showed that within that period, *i. e.*, between February 22, 1498, and Easter following, "John Calbot (*sic*) a Venetian, late of the town of Bristol," had received £10 of his annuity of £20 a year. This showed only that John Cabot was yet in England before April 15, 1498, a well-known fact. The document would have proved of some utility only if its editor had disclosed the place where the original was preserved, so as to enable others to initiate more thorough researches. But he thought fit to be as reticent on that point, as he has been regarding the books or book from which he took twenty-five important documents without a particle of acknowledgment.

[1] Publications of the Navy Records Society, London, 1896.

Historians were therefore again at sea. But a gleam of light appeared when, on the 24th of June last, the Marquis of Dufferin and Ava replied to the toast of Sir Michael Hicks-Beach, on the occasion of the Cabot quatercentenary in Bristol. His Lordship then announced that a hitherto unknown record relating to the now vindicated navigator had been discovered by Mr. Scott, of the British Museum. It was as follows:

"Bristoll Arthurus Kemys et Ricardus A. Meryk Collectores Custumarum et Sudsidiorum Regis ibidem a festo Sancti Michaelis Archangeli anno tredecimo Regis nunc usque idem festum Sancti Michaelis tunc proximo sequens reddunt computum de £1,226, 7s., 10d.

"Etiam in thesauro in una tallia pro Johanne Caboot, £20."[1]

"Bristol. Arthur Kemys and Richard a Meryk, collectors of the king's customs and subsidies there, from the feast of St. Michael the Archangel, in the thirteenth year [of the reign] of this king, to the same feast next ensuing, render this account of £1,226, 7s., 10d.

"In the treasury, in one tally, for John Cabot. £20.

His Lordship added: "The passage I have quoted does not say much." It meant on the contrary a great deal, as, to all appearances, the record was no less than the long-sought documentary proof not only that John Cabot had not been massacred by Hojeda, nor died at sea, or before the expedition set out, but that he had safely returned to England, even prior to September 29, 1498.

This announcement greatly whetted the appetite of inquirers, who were anxious to see it confirmed by other accounts of the kind, which at the same time could enable them to ascertain when the pension had ceased to be paid. The document was said to have been found "in the Westminster Chapter-house muniments, No. 12,243." Those who live abroad imagined that this referred to the Westminster Chapter-house public records, now removed to the Public Record Office, Chancery Lane. But these, it seems, do not contain any evidence that John Cabot recived anything on account of his pension after May 1498.[2]

At last there has just appeared in Bristol a work[3] containing three records which apparently settle the main point at issue, viz.: the return of John Cabot to England.

The first document in that sumptuous and useful publication,

[1] London *Times*, June 25, 1897, p. 8.

[2] Better results might be expected perhaps from the Close Rolls, which contain varied and valuable information on nearly every subject.

[3] *The Customs Roll of the Port of Bristol, A. D. 1496–1499. Translated from the original manuscript recently discovered at Westminster Abbey, by Edward Scott, M. A., Keeper of Manuscripts in the British Museum. With an Introduction relating to the entries of the Royal Pension paid to John Cabot, Navigator. By Alfred E. Hudd, F.S.A.* Published by William George's Sons, Bristol, 1897. Large folio, 9 leaves, 3 of fac-similes.

which, however, might have been more learnedly edited, is the Custom Roll from Michaelmas, 1496, to Michaelmas, 1497. John Cabot at the latter feast (September 29, 1497) had been in England seven weeks, after his return from his first voyage, yet his name does not figure in the account. This is owing to the fact that the pension, which had been made to date back from the feast of the Annunciation of that year (March 25, 1497), was granted only December 13, 1497, and did not pass the seals before January 28, 1498.

The second document is the Custom Roll from Michaelmas, 1497, to the same feast in the year following, viz.: from September 29, 1497, to September 29, 1498, and contains the full text of the record cited by Lord Dufferin. In a list of thirteen entries, Cabot occupies the fifth place, in these terms:

"In th[esaurari]o[1] in vna tall[ia] p[ro] J[ohann]e Coboot (*sic*)... xx li."

That is:

"In the treasury in one tally for John Coboot.....£20."

Strictly speaking, Cabot should have received then, not £20 only, but £30, as his pension dated from March 25, 1497, and, as we have just seen, the first payment did not and could not figure in the preceding account.

This document shows that two terms of Cabot's pension were paid; but were they paid to him in person? That is the gist of the question.

The collectors exhibit only as a voucher for their disbursement a "tally." But what was a tally in those days? Externally it was, as everybody knows, a small piece of wood cleft into two parts, both cut with corresponding notches. One of the two sticks was kept by the debtor, the other was given to the creditor, as an evidence of the settlement. Madox[2] describes the tally as follows; "The summ of money which it bore was cutt in notches in the wood by the *Cutter* of the Tallies, and likewise written upon two sides of it by the *Writer* of the Tallies. . . . A notch of such a largeness signified M *l.*; a notch of another largeness, C *l.*; of another size, xx *l.* &c. It being thus divided or cleft, one part of it was called a Tally, the other a Countertally. And when these two parts came afterwards to be joind, if they were genuine, they fitted so exactly that they appeared evidently to be parts the one of the other." This

[1] Perhaps the abbreviated form "*In tho*" should be spelled out "*In thesauro*," not "In thesaurario." If so, the meaning of the above entry might be: "Paid in treasure (or cash) £20, attested by a tally to the account of John Cabot." There are entries, I am told, in the Pipe Rolls in support of such an interpretation.

[2] *The History and Antiquities of the Exchequer of the Kings of England*, London, 1711, pp. 709-710.

statement is made on the authority of the *Dialogus de Scaccario.* Madox adds: "Tallies, as well those that were made out at the Exchequer as those which were used *in pais* [therefore in Bristol], were wont to have a superscripture importing of what nature they were and for what purpose given."

This constituted, until it was completely abolished in 1826,[1] the common way of keeping government accounts in England, and, at a certain time, everywhere else in Europe. The old tallies were destroyed in 1834; so that there is now scarcely a specimen left of those archaeological slips of wood.

Withal, the term applied also to vouchers which were entirely of a different form. Thus, ordinarily, Mr. Oppenheim says,[2] in payment of an exchequer warrant, the money would be handed over and a receipt taken. That receipt, when customers settled their accounts, would momentarily be exchanged for a real tally in the Tally Office, then remitted in the Exchequer Chamber next door, and, although a mere slip of paper, was called likewise a "tally." Provincial receipts in writing went also frequently by that name.

Tallies were received as evidence in courts of justice, but they do not imply necessarily that the payee received his dues personally. We notice in those accounts payments made in 1496, 1497 and 1498 to Sir Thomas Lovell. Is it likely that this personage, who was Chancellor of the Exchequer, went every year to Bristol to collect £100 or £200 in person? Yet the entries where his name occurs all state, as in Cabot's case: "In thesaurario in una tallia." This leads one to believe that the amounts were received at Bristol by the agent of Sir Thomas Lovell. As to the wooden tally itself, we must infer that it was handed to the latter in person, by the king's chamberlain or treasurer, very much as if it had been what we call a cheque, drawn on Kemys and Meryk. If so, there is no reason why John Cabot might not have received his tallies in the same manner.

But during the summer of 1498 John Cabot was certainly at sea. May he not, before starting, have empowered an attorney to receive the tallies in London, with instructions to forward them to his wife, who then resided in Bristol? Better still, could not the king's chamberlain or treasurer have sent the tallies[3] directly to Kemys and

[1] Tallies were abolished by the statute 23 Geo. III. c. 82, but not until "the death, surrender, forfeiture or removal" of the two chamberlains of the exchequer, and they did not resign till 1826.

[2] See also in his *Naval Accounts*, the note, page 8.

[3] Tallies were not necessarily given one only at a time, it seems, for in the warrant of Henry VII., February 22, 1498, I read: "We wol and charge you that ye our Treasourer and Chambrelaines . . . do to be levied in due fourme ii several tailles every of them conteignyng x li . . . and the same taill or tailles . . . ye delyver unto the said John Caboote."

Meryk, to be remitted to and collected by herself during Cabot's absence, for the maintenance of the family? On the other hand, there are innumerable instances in the Tellers' Accounts of payments made "to A. B. for C. D." or "to A. B. by his servant C. D." Yet, as I am informed, that does not prove that the form was not sometimes omitted. It must also be stated that tallies could doubtless be discounted in London; yet, when paid to the broker by the customers, I assume that the entry in the account was made in the name of the original grantee.

It follows from what precedes, that the tallies mentioned in the Westminster Abbey documents do not in themselves prove the personal presence of John Cabot either in London or in Bristol at the dates specified in the accounts. They are only what lawyers would call *prima facie* evidence of the fact.

The third document, showing a similar payment made between September 29, 1498, and September 29, 1499, evidenced also by a tally, is liable to the same objection, which, however, is more than counterbalanced by the following facts:

The first Cabotian voyage lasted from the beginning of May to the first week in August, 1497, which shows that such a voyage could be accomplished in three months. Cabot, the second time, sailed from Bristol early in May, 1498. He might have been absent five months and yet have returned home in time to collect his pension before the end of September following. It is therefore nowise impossible that John Cabot should have collected his pension personally in Bristol, or received his tallies in person at the hands of the king's treasurer in London, before September 29, 1498, and in 1499.

Further, that was the time when he was expected back in England. Dr. Puebla, the Spanish ambassador, in a dispatch to Ferdinand and Isabella, undated, but sent from London in July, 1498, speaking of the sailing of the five ships of the second expedition, says: "Dicen que seran venidos para el Setiembre:—They say that they will be back in September (next)." Pedro de Ayala, the joint ambassador, in another dispatch, dated London, July 25, 1498, also writes: "Sperase seran venidos para el Setiembre:—It is hoped that they will have returned in September."

The Bristol accounts, examined by the light of these facts, strongly tend to prove, therefore, that John Cabot did return from his last voyage before September 29, 1498, and that he was still living after the latter date.

HENRY HARRISSE.

THE EARLY HISTORY OF THE BALLOT IN ENGLAND

In the long agitation which preceded the adoption of the English Ballot Act in 1872, it seems to have been assumed by both the reformers and their opponents that the ballot had never been used in England for the election of public officers. Secret voting was denounced as un-English, as a pernicious innovation and a poisonous exotic. Eminent writers, like Bentham, Ricardo, Mill, Grote, and Macaulay, who advocated the reform, did not retort by appealing to English precedent; they sought their precedents in remote ages or in foreign lands, especially among the Greeks and Romans, or in France, Italy, America and Australia. Moreover, within the past few years certain historians have positively asserted that the ballot was unknown in England before 1872,[1] and upon this assumption one of these writers has based some sweeping conclusions regarding the origin of American institutions.[2] It can, however, be demonstrated that secret voting was known in England during the Middle Ages, and that the ballot, though not the most prevalent form of voting, was in common use in various boroughs of England from 1526 to 1835.

An interesting monograph might be written on the history of municipal elections in England. Some of the methods of voting in medieval and modern times were curious and instructive. In our age of zealous office-seekers we should remember that for centuries office-holding was regarded as a burden; that the election originally determined upon whom an irksome duty was to be imposed. This doubtless helps to account for the use of rotation and lot in making nominations or in electing officers in many boroughs.[3] Aversion to office-holding should also be taken into account in considering how other old methods—such as indirect elections by various sets of

[1] D. Campbell, *The Puritan in Holland, England and America* (1892), I. 51–52, II. 430; C. F. Bishop, *History of Elections in the American Colonies* (1893), 156.

[2] Campbell, *The Origin of American Institutions, as illustrated in the History of the Written Ballot* (Amer. Hist. Assoc., Papers, V. 163–186); *The Puritan in Holland*, etc., I. 47–53. During the discussion which followed the reading of Mr. Campbell's paper at the meeting of the American Historical Association, Professor Jameson asserted his belief that the ballot was used at an early date in the English municipalities.

[3] Gibson, *History of Cork*, II. 179–183; Turner, *Oxford Records*, 290–1; Palmer, *Perlustration of Yarmouth*, I. 71; Swinden, *History of Yarmouth*, 492; *Munic. Corp. Com.* 1835, II. 1092, 1101, 1274, *et passim*.

electors[1] and voting by acclamation[2] or by a show of hands[3] or by asking those in favor of a candidate to go to one side of the room[4] —managed to take firm root in England. There is, moreover, some evidence which indicates that elections formed a potent factor in the creation of the "select bodies" of certain towns.[5] These matters we are not at present prepared to investigate; we wish merely to prove that the ballot existed in England long before its general introduction in 1872.

Already in the fourteenth century there was secret voting in some boroughs. At Lancaster, in 1362, those who participated in the election of the mayor were ordered to "give their voices privily and secretly every one by himself."[6] According to an ordinance made at Norwich in 1415, each voter was to go to the polling officers and "secretly" name the person whom he desired to be mayor.[7] In 1416 it was enacted at Lynn Regis that each of the twenty-four jurats should "secretly declare" his vote for mayor, and that the common clerk should "secretly write down the wishes of each in this respect."[8] According to an act of Parliament of the year 1471, each voter at York was to go to the polling officers, "ipsisque secrete inter se narrabit quem. . . . majorem habere voluerit."[9] When more town records are published, it would not

[1] For example, at Cambridge, from 18 Edward III. to 10 Elizabeth and from 1786 to 1835, the mayor and "his assessors" named one person, and the commonalty named another. These two elected twelve of the commonalty, and these twelve chose six more of the commonalty. The eighteen then elected the mayor and other officers. (*Munic. Corp. Com.* 1835, IV. 2185.) Again, at Newcastle-upon-Tyne, according to a royal charter of 1345, the mayor and the four bailiffs were to elect seven men, and these twelve were to choose four, who were to choose eight. The twelve (8+4) were to elect twelve others, and these twenty-four (12+12) were to elect the town officers. (Brand, *History of Newcastle*, II. 161–2.) These methods, which in divers forms were very prevalent in England, may have been suggested by the machinery employed in naming the old presentment jury of the hundred and the jury of the Grand Assize.

[2] For example, at Deal, Dover, Faversham, Norwich, Oxford, St. Albans and Waterford. See *Munic. Corp. Com.* 1835, II. 931, 942, 963; Blomefield, *History of Norfolk*, III. 127–8; Turner, *Oxford Records*, 397; Gibbs, *St. Albans Records*, 8; *Hist. MSS. Com.*, X., pt. v, 281.

[3] At Thetford, for example. See *Munic. Corp Com.* 1835, IV. 2541.

[4] At Woodstock, from 1580 to 1664, the mayor was elected as follows: The Corporation nominated two aldermen. Then the commons or freemen were summoned, and the mayor said: "Those that will gyve their voyses to thone alderman stande of that syde, and those that will gyve their voyses to thother alderman so nominated stande on the other syde." (Ballard, *Chronicles of Woodstock*, 33–34.) See also Gribble, *Memorials of Barnstaple*, 347; Gibbs, *St. Albans Records*, 8; Noake, *Worcester in Olden Times*, 146.

[5] *Rotuli Parl.*, VI. 431–2; *Materials for the Reign of Henry VII.*, II. 456–7; Merewether and Stephens, *History of Boroughs*, 231, 907.

[6] Simpson, *History of Lancaster*, 277.

[7] *Evidences relating to the Norwich Town Close Estate*, 37.

[8] *Hist. MSS. Com.*, XI., pt. iii, 198.

[9] *Rotuli Parl.*, V. 455.

surprise us if they should reveal the employment of the ballot in England during the fourteenth and fifteenth centuries.

That the ballot was well known in London in the sixteenth and seventeenth centuries is demonstrated by the following entries in the records of the Court of Aldermen. In 1526 it was ordered that "in all matters concerning the election of aldermen, etc., which need to be written and tried by way of scrutiny, such matters shall be tried by the new gilt box, brought in by the chamberlain, whereon is written these words, 'Yea,' 'Nay.'" In 1532 it was ordered that "in every matter of gravity the box shall be brought into Court, and by putting in of white or black peas the matter is to take effect or not." It is evident that the bean ballot was not an invention of the Puritans of New England.[1] The medieval records of Italian cities mention a *scrutinium cum fabis albis et nigris.*[2] In 1642 the Court of Aldermen enacted that "from henceforth the balloting box shall be used in this Court, as formerly, to declare their opinions and resolutions in special matters to be propounded."[3]

That the ballot was in vogue in England during the seventeenth century is shown by a royal order in council dated September 17, 1637. Taking into consideration the manifold inconveniences that may arise "by the use of balloting boxes, which is of late begun to be practised by some corporations and companies," the king declares his "utter dislike thereof," and, with the advice of his council, orders that no corporation or company within the city of London or within the kingdom shall in the future use such boxes.[4] We are not informed why Charles I. tried to abolish this practice, but we know that the king controlled the elections in many boroughs, and that those who voted contrary to his wishes were in danger of being expelled from the civic corporations.[5] The ballot-box, which fostered a spirit of independence among the voters, had "manifold inconveniences" for monarchs who wished to retain their control over

[1] Cf. Milton, *Free Commonwealth* (*Prose Works*, 1851, III. 438): "to convey each man his bean or ballot into the box." Mr. Bishop (*History of Elections*, 168) believes that the bean ballot of Pennsylvania was borrowed from Massachusetts. It seems more plausible to assume that the practice in both colonies was derived from England.

[2] *Statuta Communis Parmae*, A. D. 1266–1304 (Parma, 1857), 52, 54.

[3] For these three entries, see *Analytical Index to the Remembrancia of the City of London* (1878), 27.

[4] Ibid., 27; *Macmillan's Magazine*, XX. 567. On the same day an order of the king in council prohibited the Merchant Adventurers from using a ballot-box. (*Cal. of State Papers, Domestic Series*, 1637, p. 420.) In 1622 the names of the candidates for the offices of treasurer and deputy of the Virginia Company "were ballated" or "put to the ballating box." Balls were used in balloting. See *Abstract of Proceedings of the Virginia Company of London*, ed. R. A. Brock (Richmond, 1888–89), I. 178.

[5] Bailey, *Transcripts from the Archives of Winchester*, 31; Merewether and Stephens, *History of Boroughs*, 1716.

the "select bodies." The intimidation of voters by the king or by his agents could not be continued effectually under a system of secret voting.

The following interesting ordinance was made at Winchester in 1656:[1]

"Whereas it hath been found by often experience that public and open votes at the assemblies holden within the said city, for electing of the mayor and other magistrates and officers within the same, hath caused clamour and ill blood amongst divers of the citizens of the city aforesaid, for the preventing whereof in time to come, and to the end that the said citizens may be more free in their votes and elections than formerly they have been, and for the better continuance of love and unity amongst themselves, It is ordained and established by this assembly that there be forthwith provided one hundred bullets, of colours red and white, in equal proportion, and that the said bullets be kept in a fit box to be provided for that purpose. And that at all such public assemblies and meetings one of the said bullets be delivered to each citizen then present, and that the mayor for the time being (if occasion be) do declare in writing, under his hand, for what person or purpose each of the said bullets shall stand at every nomination or election; and that, instead of such open and public vote, each citizen put privately into said box the bullet for or against such person or purpose then in question at such nomination or election, according to the dictates of his conscience; and that the mayor put in two bullets for his casting vote (in case the bullets so put in, as aforesaid, shall happen to be even); and that, upon view of the said bullets, the election to pass, stand and be determined, according to the major part of the bullets, for or against such nomination, or election, or purpose as aforesaid, and to be as effectual to all intents and purposes as if the same had been openly and publicly voted, any ordinance or custom to the contrary thereof in anywise notwithstanding; and that the bullets remaining in each citizen's hand be immediately after each election privately put in again into the said box. Provided—that it shall and may be lawful to and for any citizen, if he think fit, openly to publish and make known his vote, and to declare the reasons and inducements leading him thereunto."[2]

Here we find at an early period the principle of optional secret voting, which was advocated by the House of Lords in 1872, but which the Commons refused to accept.[3]

During the seventeenth century balls or bullets were also used in elections at Lymington and Barnstaple. In 1577, in order "to prevent animosities," it was ordained at Lymington that the mayor and the members of Parliament should in the future be elected "by the way of bullets." Three candidates were nominated for mayor,

[1] The ordinance has this rubric: "Election of mayor and all other officers to be by pewter."

[2] Bailey, *Transcripts from the Archives of Winchester*, 31–32.

[3] For optional secret voting at Rochester, see below, p. 462.

and then each burgess received three bullets of different colors. One of these he deposited in a covered box; the other two he put "privately" into a bag provided for that purpose. This method of election seems to have been abolished after a short trial.[1] In 1689 it was enacted at Barnstaple that, after the names of two candidates for the mayoralty had been fixed on two separate pots, each voter should receive a ball and, holding both hands closed, should "at one instant time" put his right hand into one pot and his left into the other, "letting his ball fall secretly into which pott he list." This method of voting for mayor and other municipal officers was still in practice in 1830;[2] and the ball ballot is still employed in Greece at the present day.[3]

The secret *written* ballot also existed in English towns. To terminate the "infinite contentions, animosities, and disputes" among the burgesses of Pontefract, James I. in 1607 granted them a new charter regulating the election of mayor. Each burgess was to write on a scroll of paper the name of the candidate for whom he wished to vote, and this scroll was to be placed in a box or bag. When the result of the election had been declared by the town clerk the scrolls were to be publicly destroyed, in order that the handwriting might not be scrutinized.[4] In 1835 this method of voting was still in use not only at Pontefract, but also at Queenborough.[5]

Another means of securing secrecy was by a scratch, or dot, or other mark opposite or under the name of the candidate. At Wisbech in the early part of the present century, the names of the persons nominated for the office of capital burgesses were pasted upon a piece of paper, and each voter made a tick or scratch under the names of those whose election he desired, no person being allowed to see the poll except at the time of voting.[6] A similar system seems to have been in vogue at Chippenham, Fordwich, Kingston-upon-Thames, and Plymouth.[7] At Chippenham the voters signified

[1] *Munic. Corp. Com.* 1835, 743–4.

[2] Gribble, *Memorials of Barnstaple*, 351–4. Balls were also used at Portsmouth, Doncaster, Romsey and Yarmouth. See below, pp. 461, 462.

[3] G. Deschamps, *La Grèce d'Aujourd'hui* (new ed., 1897), 85–86. The Venetian mode of balloting advocated in Harrington's *Oceana* has striking resemblances to that which still exists in Greece. In 1268 the written ballot was used in Venice. See H. F. Brown, *Venice* (1893), 151.

[4] Boothroyd, *History of Pontefract*, 447–8, and App. p. xii.; Fox, *History of Pontefract*, 33–34.

[5] *Munic. Corp. Com.* 1835, II. 824, III. 1674–5.

[6] *Report from Select Committee* (Parl. Papers, 1833, Vol. XIII., p. 172); *Munic. Corp. Com.* 1835, IV. 2552–3.

[7] *Munic. Corp. Com.* 1835, II. 987, 124, IV. 2895; Worth, *Calendar of Plymouth Records*, 85. At Kingston-upon-Thames, in 1835, the names of the candidates were written upon a sheet of paper, to which each voter went alone and "scratched" the name of one of the candidates with a pen. This system of voting existed at Kingston for at least three hundred years.

their choice for the office of bailiff by sticking a pin in the name of one of the candidates. This calls to mind Sydney Smith's description of the plan proposed by Grote in 1836–37: "In Mr. Grote's dagger ballot box . . . you stab the card of your favorite candidate with a dagger."[1] In the reign of Charles II. the Earl of Shaftesbury advocated the adoption of the "dot system" for parliamentary elections. The method, he says, should be such "that none may know on whom the electors' votes were conferred. . . . Let them go in one by one, each writing down his own dot."[2]

At Portsmouth, in the first half of the present century, "scratching" and the ball ballot were combined. Each person went separately into a room and made a mark opposite the names of those aldermen whom he wished to nominate for mayor. The two having the most marks were nominated. Each elector then received two colored balls, one of which he "privately" placed in a box and the other in a bag.[3]

The employment of the ballot for the election of public officers is first mentioned in the *Statutes of the Realm* in an act of 1831 (1 & 2 Will. IV. c. 60). It provides that, in those parishes of England and Wales which shall adopt the act, the vestrymen and the auditors of parish accounts shall be elected by a written ballot, if this be demanded by any five rate-payers.

Other examples of the use of the ballot, from 1722 to 1835, are briefly indicated in the following list:

Boston. Election of the common council, 1835: *Munic. Corp. Com.* 1835, IV. 2152.

Deal. Election of jurats and common councilmen, 1815–1835: ibid., II. 932.

Doncaster. All elections shall be determined by ballot with balls, 1778. Tomlinson, *Doncaster*, 334.

Drogheda. Election of mayor, 1835: *Munic. Corp. Com.* 1835, Ireland, 813.

Lincoln. A proposal to substitute *viva voce* voting for the ballot was rejected, 1749: *Hist. MSS. Com.*, XIV., pt. viii, 117. Election of aldermen by ballot, 1835; *Munic. Corp. Com.* 1835, IV. 2346.

Lynn Regis. Election of committees "by lot or ballot," 1835: ibid., IV. 2396.

[1] *Works of Sydney Smith* (2d ed.), III. 141. Mr. Grote's plan was to use a card-frame covered with glass. Under this glass the voter sees a card on which the names of the candidates are printed. Through one of the holes in the wood he punctures the card opposite the name of his favorite candidate, and then by pulling a slide causes the card to fall into the ballot-box. See *Spectator*, February 25, 1837.

[2] *Somers Tracts* (1812), VIII. 402.

[3] *Munic Corp. Com.* 1835, II. 803–4. Black balls were used to indicate a preference for the senior alderman, white balls to indicate a preference for the junior alderman.

READING. All elections in the Corporation shall in the future be by ballot, 1722: *Hist. MSS. Com.*, XI., pt. vii, 205.

ROCHESTER. According to a by-law of 1734 regulating the election of mayor, the town clerk and four others are the vote-takers, and the town clerk writes down the votes on papers, which are publicly burned as soon as the result of the election is declared. A vote-taker who reveals how anyone has voted shall be disfranchised, and prosecuted for perjury. At the expiration of two hours of secret polling those who prefer to vote publicly may do so. *Munic. Corp. Com.* 1835, II. 845.

ROMSEY. Election of mayor and recorder by ballot with colored balls, 1835: ibid., II. 1331–2.

SOUTHAMPTON. Election of mayor, *circa* 1760 to 1835: ibid., II. 874; Davies, *History of Southampton*, 165.

STOCKPORT. Election of mayor and town clerk, 1820, 1836: Heginbotham, *Stockport*, II. 260, 274.

SWANSEA. Election of portreeve, 1835: *Munic. Corp. Com.* 1835, I. 386.

YARMOUTH. Election of aldermen and common council by ball ballot, 1725–1835: Palmer, *Perlustration of Yarmouth*, I. 73–74; Palmer, *History of Yarmouth*, 50.

The Municipal Corporations Act (5 & 6 Will. IV. c. 76) prescribed open voting for some of the most important town offices,[1] and tended to make all municipal elections uniform.

The history of the ballot in England has not yet been written; this paper deals tentatively with only one phase of the subject. The town records which have been published are not yet abundant enough to enable us to make an exhaustive study of such institutions. The meagre sources at our disposal indicate that in some boroughs the municipal officers were elected by ballot since the sixteenth century; that this mode of voting was seldom used for parliamentary elections before 1872;[2] and that balls were usually employed in balloting, though we meet with some examples of written scrolls and "scratching," and in many cases the kind of ballot is not described in the records. It is difficult to determine whether secret voting in olden times prevented bribery and intimidation. The motive for its introduction which is most frequently mentioned was to prevent animosity, clamor and disorder.[3] The attitude of Charles I. toward the institution seems to indicate that already in the seventeenth century it tended to guarantee the personal independence of

[1] The voting papers for councillors were to be signed by the voters.

[2] The election of members of Parliament at Lymington (above, p. 459) is the only example that I have found.

[3] This advantage of secret voting is also emphasized in the tract entitled "The Benefit of the Ballot" (*State Tracts privately printed in the Reign of King Charles II.*, London, 1693, I. 443–6).

the voters. We may surmise that, though the order in council of 1637[1] was not effective, the opposition of royalty was a potent force which in many boroughs tended to prevent the adoption of the ballot as a part of the machinery of local government. The court influence would naturally be exerted most strongly against secret voting in parliamentary elections; and this may account for the fact that we find so few examples of its use in such elections.

The fact that the ballot was well known in England during the sixteenth and seventeenth centuries suggests the conclusion that the American colonists brought the idea of secret voting with them from their English homes. In 1835 a member of Parliament asserted that the advocates of the ballot were trying to "deck themselves out in the worn-out garments of the Americans."[2] His opponents might well have answered that those garments had been imported from England. The facts which we have presented also show that too much credit has been ascribed to Harrington as the progenitor of the ballot in England and America.[3] We have seen that this mode of voting was familiar to Englishmen a century, at least, before Harrington's time; and the question of its employment in Parliament had been agitated long before the *Oceana* was published.[4]

CHARLES GROSS.

[1] Above, p. 458.

[2] *Parl. Debates*, 1835, XXVIII. 420.

[3] Dwight, *Harrington* (in *Polit. Science Quarterly*, Vol. II.), 13–17, 21–22; Bishop, *History of Elections*, 167.

[4] *Journals of Commons*, 1646, IV. 690: "The question was propounded, whether it shall be referred to the Committee lately named, to consider of a Balloting Box and the Use of it; and to present their opinions to the House." This question was decided in the negative. On May 3, 1660, it was ordered that twelve members be chosen by ballot to carry the letter of the House to the king (ibid., VIII. 11, 15; *Hist. MSS. Com.*, V. 149). Mr. Goadby, in *Polit. Science Quarterly*, III. 657, says that the earliest recorded use of the ballot in connection with the English Parliament occurs in 1805. The truth is that the written ballot was frequently employed in both houses for the appointment of parliamentary committees, from 1690 onward into the nineteenth century; the voting papers were held between the finger and the thumb, and were put into glasses. That no mention of this practice occurs in the journals of either house from 1660 to 1690 was perhaps due to the revulsion of feeling against liberal thought during the reigns of Charles II. and James II. Mr. Goadby also seems to err in stating that a ballot bill was introduced in the House of Commons in 1710 (*Polit. Science Quarterly*, III. 656), and his error has been repeated by Campbell (*The Puritan*, II. 431).

THE PRESENT STATUS OF THE KÖNIGSMARK QUESTION

A STRIKING example of what modern historical methods and especially the tracing back to their sources of long-accepted assertions, can do towards unravelling past mysteries is furnished by some recent researches of Schaumann,[1] of Köcher[2] and of Horric de Beaucaire[3] in the matter of the once famous intrigue between Count Philip Königsmark and Sophia Dorothea, electoral princess of Hanover. Not that all, or even nearly all has been explained; we are as much in the dark now as to what became of the unfortunate Swede who suddenly vanished forever on the eve of the day when he was to have run away with the young wife of the future George I., as were the friends and relatives who so persistently demanded an investigation at the time. But the whole matter has been shown to have a far broader significance than was ever before imagined; the steps that led to the catastrophe have been carefully followed one by one, and evidence has been found which throws a new light on the terrible punishment meted out to the erring princess—the common ancestress of two famous lines of kings—who for thirty years or more was kept in almost utter isolation.

Interest in the fate of this pair, Königsmark and Sophia Dorothea, has never abated from their own time to ours. At short and almost regular intervals works purporting to contain the most surprising revelations have been given to the world. The climax was reached in 1845 with the appearance of two stout volumes of memoirs which were said to have been found in the prison-house of Ahlden after the princess's death; included in the publication was a full account of the whole tragic episode written by a lady-in-waiting, Fräulein von Knesebeck, who was known to have played an important part in the affair.

Various shorter accounts, based on these new sources, have since found their way into print; the latest of them, entitled "The Story of an Unhappy Queen," appeared in the *Nineteenth Century* in 1892. A single sample is worth quoting literally as an excellent

[1] *Sophie Dorothea und die Kurfürstin Sophie*, Hanover, 1879.

[2] *Die Prinzessin von Ahlden*, in *Historische Zeitschrift*, XLVIII. 1–44, 193–235.

[3] *Une Mésalliance dans la Maison de Brunswick*, Paris, 1884. See also for this article Vols. IV., XXVI., and XXXVII. of the *Publikationen aus den Preussischen Staatsarchiven*, containing memoirs and letters of the Electress Sophia.

illustration of the kind of story that has long found credence with regard to this matter. The explanation given of Königsmark's disappearance is that the Countess of Platen, mistress of the Elector Ernest Augustus, out of jealousy for spurned affections, and by a false use of the electoral princess's name, decoyed the count into an ambush in the Hall of Knights of the castle at Hanover and watched behind a curtain while the assassins did their work.

> And now like a serpent from out its hole emerged the fiend who had planned this ghastly revenge, unwilling that her quondam and worthless lover should expiate his crime and that she should not witness his agony . . . "The princess is innocent," he murmured as the ferocious woman stood quivering with hatred, rage and black revenge over his dying form; and while he was still muttering his expiring testimony to the innocence of her for whom he suffered, she raised her foot, encased in its high, wooden-heeled shoe and, placing it on his mouth, she stamped out his last expiring breath.

This same writer, who professes to have obtained her information from an undoubted authority on the secret histories of the Hanoverian court, asserts that the vindictive husband, the man who was later George I. of England, caused the heart of his dead rival to be taken from his body and burnt, the ashes being placed in a footstool which the prince used to the end of his life and which still exists.

Thankful indeed should we be to the men who by diligent search and by means of the sharpest constructive as well as destructive criticism have at last given us a basis from which to proceed and have broken asunder a whole chain of previously accepted testimony. Schaumann and Köcher especially, the latter of whom is at present in charge of the Hanoverian state archives, have furthered our knowledge in three different ways; they have sifted and sorted every scrap of manuscript evidence that still survives, they have entirely established the untrustworthiness of all former authorities, and they have brought the Königsmark episode itself into a clearer relationship with what went before and what came after.

That the actual amount of extant manuscript material is so slight is now known to be due to the preconcerted policy of the heads of the house of Hanover. They were determined that no written records on this matter should remain. The Electress Sophia implies this in her letters to her niece, the Duchess of Orleans, who was her chief confidante. She seldom mentions the Königsmark affair, but when she does it is, so to speak, with bated breath and with a warm injunction to destroy the letters and to let no one know that the information came from her. The Hanoverian archives themselves

bear the strongest testimony to the plan of suppression and destruction; documents and letters for the critical months are missing from collections otherwise intact; pages are torn out of the covers in which they once belonged. Almost all the contemporary testimony that we now have came later into the archives with the family papers of deceased persons or with the acts of legal or ecclesiastical tribunals. The most curious by far of all the bits of evidence is a series of remarks scribbled by the lady-in-waiting, Fräulein von Knesebeck, on the furniture and walls of the room at Scharzfels where, for three years after the catastrophe, she was kept in confinement for having aided and abetted the princess in her attempt at flight. Being allowed neither pen nor pencil she had made use of the charred coals with which her warming-pan was filled. She escaped at last and an attested copy was at once made of all that she had written, while at the same time an account was rendered of various utterances let fall by her during the term of her imprisonment.

Not by any means the least interesting result of the work of the Hanoverian investigators is their proof of the utter falsity of Sophia Dorothea's memoirs and of Fräulein von Knesebeck's journal. Even on the surface, indeed, the memoirs bear the stamp of improbability; they are written in dialogue form, the characters have their exits and their entrances, and the plot is unfolded as in a regular drama. No one with the least conception of the real character of the unfortunate electoral princess, who had accepted her incarceration as a just penance for the scandal she had caused, could ever have considered her capable of this elaborate working-out of the trying incidents in which she had played so important a part. Yet the calm assurance with which the work was published and the positive manner in which false statements were made, caused the whole to be received as a serious contribution to historical literature.

The simplicity of the means by which these memoirs, as well as the journal of the lady-in-waiting, have been proved to be arrant forgeries is without a parallel in the history of criticism. Both of these writings, and indeed almost all the publications that have ever appeared on the subject of Königsmark's relations to Sophia Dorothea, are found to have been based on a novel of the period. Not only have the incidents been thus borrowed, but in many cases the actual language. Even in the attenuated form in which the narrative has been handed on by the writer in the *Nineteenth Century*, whom I have quoted above, I have been able to find traces of verbal agreement with the extracts from the original given by Köcher.

Not that the novel which has given rise to this century-long deception was by any means an ordinary one. The author, Duke Antony Ulrich of Wolfenbüttel, was the cousin of the princes of the house of Brunswick; his son had once been affianced to Sophia Dorothea but had fallen at the siege of Philipsburg in the war against Louis XIV. It was a passion with Antony Ulrich to write romances of interminable length in which incidents and personages of his own day, though clothed in classic garb, should be clearly recognizable. The Königsmark episode is found in full in the sixth volume of a work known as *The Roman Octavia*, which was published in 1707—some thirteen years after that July night on which the real tragedy must have taken place. Sophia Dorothea appears under the thin disguise of the Princess Solane, Fräulein von Knesebeck is Sulpitia Praetextata, while the Electress Sophia is "the incomparable queen Adonacris." The scene is laid alternately at the courts of Polemon (George William of Celle, the father of Sophia Dorothea) and of Mithridates (the first elector of Hanover, Ernest Augustus).

While acknowledging, what is indeed indisputable, that the *Roman Octavia* has hitherto been the prime source of our information concerning the incidents with which we are dealing, certain critics have nevertheless tried to enter a plea for the general trustworthiness of the Duke of Wolfenbüttel. He was a warm friend of the house of Celle and remained intimate with its members even after the contemplated union by marriage was frustrated by his son's death; it was to his protecting arms that the proposed flight of Königsmark and Sophia Dorothea is said to have been directed. Yet, as a matter of fact, he knew no more of the actual truth in this present instance than did his contemporary the Duke of St. Simon, who, writing at Paris at the time, gravely asserted that Königsmark had been seized by the electoral prince and thrown alive into a hot oven. Antony Ulrich's own letters[1] prove that he was informed of nothing, while one or two statements in the *Roman Octavia* which can be accurately controlled show a total perversion of the facts and a tendency to be as hateful and malicious as possible towards the court of Hanover. What his general reputation as a romancer was is proved by a remark of the Electress Sophia, who on hearing an infamous slander against the Duchess of Celle—a statement to the effect that the lady in question, who was the daughter of a marquis, would once have been glad to marry a valet of the brother of Louis XIV.—declared at once that here was something to rejoice the heart of Antony Ulrich.

[1] Printed in the appendix of Beaucaire.

After sifting, as I have said, all the authentic sources of information and after proving that the greater part of the literature on the subject is a mere tissue of lies and imaginings, Schaumann, and, supplementing him, Köcher, went on to show that the Königsmark affair is not to be treated as an isolated episode, but that the attempted flight was the inevitable outcome of the scornful and chilling policy pursued through a long course of years by the house of Hanover towards the women of the house of Celle. I now ask leave to direct the reader's attention to the reasons for that policy, to a brief narrative, in fact, of what led up to the desperate resolve of one who might soon have been England's queen, to leave husband and children and to fly in the company of a man with an international reputation for profligacy.

In order to understand the true sequence of events it is necessary to revert to the time when Sophia of the Palatinate, the later electress of Hanover and acknowledged successor to the throne of England, was first of a marriageable age. She was daughter of that Frederick who had found the crown of Bohemia such a crown of thorns at the beginning of the Thirty Years' War—of a king, therefore, albeit a fugitive one. Her mother was the daughter of James I. of England, so that on that side, too, the proudest blood in Europe flowed in her veins. Her hand was sought in various directions and the friends of the young Charles of England, the later King Charles II., made efforts so pertinacious on his behalf that at last, wearied by their importunities and intrigues, and thoroughly disinclined to the match after the affairs of Charles I. had begun to grow desperate, Sophia left her mother's court at the Hague and took up her abode with her brother at Heidelberg. It was here that she met the attractive but dissipated Brunswick prince, George William of Celle; fresh from a struggle with his Estates, who had represented to him in the strongest terms the necessity of settling down and living among them and of ceasing to squander his revenues in foreign lands, he asked for the hand of the young princess. As the palatine elector approved of the match a formal engagement was entered into and the young duke continued on his way to the carnival of Venice. There, however, determined to take advantage of the last flitting hours of liberty, he indulged in such inordinate excesses that his health was seriously undermined and his physicians declared him unfitted for matrimony. Thoroughly grieved at the position in which he had placed his intended bride and willing to make any sacrifice in order to right the wrong that he had done, he proposed an arrangement that was accepted as satisfactory by all parties concerned.

By family compact it had been agreed that the lands of the duchy of Brunswick-Lüneburg should never be divided into more

than two parts. Of these two parts at the present time George William held one and an older brother the other; the youngest of the family, Ernest Augustus, had little to live upon and little to look forward to save the succession to the bishopric of Osnabrück, which, by the terms of the Peace of Westphalia, was to fall to him at the decease of the existing Catholic incumbent. To this brother, then, George William made the proposition that he should marry Sophia, promising to provide amply for his present needs, to pronounce him successor to all his estates and, lest an heir should be born to contest his rights, to sign a solemn engagement himself never to marry. Sophia, who cynically remarks in her memoirs that all she desired was a suitable appanage, consented to this arrangement, allowed the preparations for the wedding to be hastened forward, and, before she had been long a bride, found herself devotedly attached to the man she had married and very contented with her lot. Her letters at this time show her to have been a remarkably intelligent woman, with keen powers of observation and an inexhaustible fund of humor. The newly married pair went to live at Hanover with George William, who for their benefit built an extra wing to his palace. "It is the holy Trinity that governs here," writes Sophia to her brother in her sprightly but not always reverent style; but the intimacy in time became inconvenient, for George William learned the worth of the prize he had rejected, and Ernest Augustus became absurdly jealous of his brother. Sophia tells us that when he took a nap in the afternoon he would keep his feet upon her chair lest she might escape and join George William. She herself was most discreet; she rejoiced heartily when the vacancy of Osnabrück gave herself and her husband an excuse for moving thither, and apparently more heartily still, when George William became enamored of Éléonore d' Olbreuze, the daughter of a rather obscure French marquis. Sophia and Ernest Augustus did everything to throw these two together, invited the d' Olbreuze to Yburg, their charming palace near Osnabrück, and finally promoted a union which was not even a morganatic marriage but merely a contract of fidelity with certain provisions for Éléonore's maintenance. The lady took the name of Madame de Harburg, and in course of time bore to George William the child whom we already know under the name of Sophia Dorothea.

For a number of years things ran on smoothly and Madame de Harburg, by her gentle persistence and her really strong character, managed completely to regenerate her husband and at the same time greatly to better her own position. As her daughter neared a marriageable age her hand was applied for by the son of the Duke

of Wolfenbüttel. In order to render such a union possible an appeal was made to the Emperor, who, grateful for the aid of George William against the French, declared Sophia Dorothea legitimate and worthy to wear the arms of the house of Brunswick. Soon rumors became rife that an actual wedding was to take place between George William and Éléonore; the latter was raised to the rank of Countess of Wilhelmsburg, and finally of duchess. George William still meant to keep the promise to his brother as to the succession and constantly affirmed this intention both in private and in public—but whether he would stand fast should a son be born to him was a matter open to grave doubt. There had meanwhile been a readjustment concerning the family estates. The eldest and the third brother had died, the lands were redivided, George William became duke of Celle and Ernest Augustus succeeded to the duchies of Göttingen, Kalenburg and Grubenhagen with the capital of Hanover. The desire for George William's estates had only grown stronger with these changes, for now there was a fair prospect of uniting into one great duchy all the scattered family lands. It may readily be perceived with what feelings the Duchess Sophia regarded the successes of Éléonore d'Olbreuze; mild, at first, and even flattering had been the judgment passed upon her, but now there are no bounds to the withering contempt which the lady of royal birth feels for the presumptuous parvenue. She is the "duchess of last week," she has false teeth, she would fain have married a valet; as "that creature" she is referred to in Sophia's letters. And the young Sophia Dorothea, too, comes in for her share of vituperation; we are told that "her father makes her sleep in his own room since her goings on with young Haxthausen."

With surprise, indignation and disgust, at first, Sophia learned from her husband that he, worried about the future of his children, had given ear to a proposition from the court of Celle for a marriage between Sophia Dorothea and their own eldest prince, George Louis. But the mercenary spirit soon gained the upper hand with the duchess as well as with Ernest Augustus. Although the original terms offered were extremely favorable, the latter haggled for years for an increase of dowry. The following is what Sophia writes to her brother on the subject:

> For some time now from Celle they have been offering 50,000 écus in sovereignty and 100,000 down if Ernest Augustus will consent to the marriage of my eldest son with the daughter of George William. The marriage is repugnant to the boy as is the d'Olbreuze connection to us These considerations make it only fair that they should raise the amount. What should you think if they were to give 80,000 a year

to Ernest Augustus; *ought he to contaminate his ancestors for that?* They offer besides that the whole army and all the officers in the fortresses shall swear allegiance to Ernest Augustus, and that the whole land shall do him homage and promise to obey only him, even in case George William should have sons. All that won't make it any more agreeable for me to be "brother and boon companion" to a *scoupette*.

Woe to the future of a marriage contracted on such cold-blooded terms! Sophia Dorothea, aged only sixteen, is handed over to a man so taciturn that his own mother complains bitterly of the impossibility of drawing a word from him, and so cold that his cousin, the Duchess of Orleans, maintained that he could turn everything around him to ice. Yet the poor victim herself, according to a society paper of the day,[1] was handsome, witty, very lively, well read and endowed with much imagination, besides dancing well, singing and playing the harpsichord. Her portraits in the Guelph Museum at Herrenhausen, and in the Radziwill collection in Berlin, show her to have had a pink and white complexion and brilliant black eyes. At the time of her marriage Leibnitz wrote a poem in which he speaks of her "divine beauty." It is possible that she was sometimes indiscreet in her conduct; indeed at the time of a visit to Italy in 1685 there was much talk about attentions she received from two or three Italian princes; yet so strong was the tendency to malicious slandering on the part of her proud relatives at Hanover that all stories to her disadvantage must be received with caution.

Count Philip Königsmark first enters upon the scene some six years before the great crisis occurred. He was present at a masked ball given in Hanover in 1688 and was evidently on familiar terms with the highest personages. Ernest Augustus made him colonel in his army, a post which, at the time of his disappearance, he was about to exchange for the office of general in the service of the elector of Saxony, at whose court his sister, the notorious Aurora, was already living. That his attentions to Sophia Dorothea were very marked is attested by an anecdote scrawled by Leibnitz, by way of correction, on the margin of an anonymous pamphlet that appeared at the time on this subject. During an alarm of fire at the opera house Königsmark cried out in great agitation, "Save the electoral princess!" Amid the smoke and confusion he himself seized hold of the Electress of Brandenburg, Sophia Dorothea's cousin, but on finding his mistake most ungallantly left her in the lurch. The electress twitted Sophia Dorothea on Königsmark's devotion, but her remarks were so ill received that a quarrel ensued which was not made up for two years.

[1] The *Mercure Galant*.

Nothing further is known, now, until the time of the catastrophe. On the night of July 1, 1694, Königsmark left his place of lodging and never came back. Ernest Augustus at once caused his apartments to be sealed up and took possession of his papers; all persons who had in any way served as intermediaries between the count and the electoral princess were imprisoned and their letters examined. The existence of some far-reaching intrigue was established beyond a doubt; utterances of ministers at various state conferences that were immediately held prove conclusively that political complications of the gravest sort played a part in the affair. What they were it would be idle now even to attempt to conjecture. So much alone is known, that at this moment Ernest Augustus had many bitter enemies among minor German princes, who were filled with envy and jealousy at his elevation to the rank of. an elector; the times were dangerous, for Louis XIV. was at war with the Empire and the Brunswick brothers had done good service against him. It may be that Königsmark was a traitor or a spy; his general bad character, of which there is ample evidence, lends color to the assumption.

Sophia Dorothea's relations with her husband had long been strained; he was notoriously unfaithful to his marriage vow, but, on the other hand, had certain unknown grievances against her which led him shortly before the time of the frustrated flight to threaten her with divorce proceedings. She for her part had fled to her father and had implored him to let her stay with him, a request which George William had refused.

Whatever the mysterious plot may have been in which the flight was to have played a part, the discovery of it was ascribed almost universally by contemporaries to the Countess Platen, mistress of Ernest Augustus. She was believed to have taken summary vengeance upon Königsmark, her motive being variously stated as jealousy of Sophia Dorothea and anger that the count would not marry her own daughter. Sophia Dorothea herself must surely refer to the Countess Platen when she says in one of her rare letters: "I tremble if Count Königsmark is in the hands of the lady whom you know, lest his life may be in danger."

After the seizure of the compromising documents of which Leibnitz said at the time, "they would never have believed her so guilty at Celle if her letters had not been produced," Sophia Dorothea was first relegated to the lonely castle of Ahlden in her father's territory and afterwards, in order to be near the consistory that was to pronounce her divorce, was temporarily removed to Lauenau on Hanoverian ground. At this juncture we come upon

a series of authentic records of the very highest interest; proceedings of the ecclesiastical tribunal appointed to pronounce the divorce, which were discovered in the reign of George IV. among the papers of the descendants of one of the judges; records of ministerial conferences between the courts of Celle and Hanover, as well as private letters of the ministers. *Pour sauver les apparences*, as is repeatedly stated, it was decided to leave Königsmark's name entirely out of the question. The charge against Sophia Dorothea was simply and solely desertion of her husband. Every stage in the trial is known now to have been characterized by incredible deception and duplicity; it seems impossible that the revelations which were dreaded would have referred simply to the princess's relations with the Swedish count. Interviews were frustrated, the counsel for the defense was instructed to fall sick on the day of the trial, while even before the proceedings began the wording of the final verdict had been carefully arranged by the ministers, although some members of the divorce tribunal were not in the secret. Sophia Dorothea, thoroughly humbled and penitent, allowed herself to be instructed as to every response she was to make when questioned by any of the judges. She wrote and signed exactly what she was told to, with the single exception that she could not be brought to declare herself actually guilty of conjugal infidelity. It was a most delicate matter to treat with her, for only on the basis of her guilt could such a divorce be obtained as the court of Hanover wished. Above all things it was desired to prevent her from bringing a countercharge against her husband, for in that case the tribunal could not have accorded to him and forbidden to her the right of marrying again. On this point the courts of Hanover and Celle came into sharp conflict, but the Hanoverian influence finally prevailed. As the guilty party Sophia Dorothea could not marry again, and—for there was the point at issue—her lands and her riches, save the amount reserved for her support at Ahlden, remained in the hands of the house of Hanover. The end was achieved for which, twelve years before, the obnoxious marriage had been contracted.

How far was she really guilty? To this day she has her advocates and accusers, but to my mind the protocol of her first interview in the matter of the divorce with the ministers of Hanover and Celle offers conclusive evidence that at the time of her entering into the intrigue with Königsmark she was a hunted woman, driven to desperation by a systematic policy of scorn and neglect. The object of the interview, the protocol tells us, was to inform the princess that everything was fully discovered, and that denials and evasions would be of no avail; also to tell her what account of the

affair was to be made public, what she also would have to say publicly, and how she would have to conduct herself as regarded the intended separation. She showed the greatest penitence in the world, in fact thoroughly condemned herself and acknowledged that she had merited everything that had been done to her and more too. She asked for forgiveness and showed great confidence in the generosity of the elector, but seemed to fear the electoral prince. She wished to deny having actually committed crime, acknowledging, however, that the appearances were so against her that nobody could fail to condemn her and that her innocence in this regard could only serve for her own inward satisfaction. She denied also that Königsmark had ever been at night in her chamber. Her faithful lady-in-waiting, Fräulein von Knesebeck, in season and out, even when imprisoned and threatened with torture, made similar assertions, acknowledging an intrigue so dangerous that she had begged her mistress to discharge her and had only been persuaded to remain by her tears and entreaties, but denying stoutly any criminal relations between Sophia Dorothea and Königsmark. The princess was resigned to the separation, the protocol goes on, recognized that it could not well be otherwise and was of the opinion that the scanty friendship, nay more the aversion which the prince had felt for her for several years was the cause of all her misfortunes. She did not think that she could ever again set herself right with him. He had said to her before going to Berlin, "such constraint is unbearable. I shall write to your father and demand a separation." It was not likely that recent events would have changed his mind. The ministers had only to tell her what to do and she would follow their advice. She considered it a fortunate fate that was to withdraw her from a world she had loved too well and give her an opportunity of thinking on God and her salvation. As, heretofore, she had given nourishment to scandal, so in future she hoped to furnish an example of piety.

Plain it is that the coldness and aversion of Prince George, that repugnance to the alliance of which his mother had spoken and in which she so fully shared, that old disdain for everything concerning the d'Olbreuze connection, was the key-note of the whole tragedy. It had driven Sophia Dorothea into courses that, according to the sentiment of the time, needed a long and terrible expiation. It must not be forgotten that the age was one of absolute despotism; but a year or two before, at this very Hanoverian court, Count Moltke, for aiding a younger son of Ernest Augustus to oppose the latter's law of primogeniture, had been put to death; a generation later the same punishment was to be meted out to young

Katte, the friend of the future Frederick the Great, for conniving at a flight the consequences of which might have been somewhat similar to those in the case of Sophia Dorothea.

That the unfortunate princess felt chilled to the marrow by her surroundings is attested by her feverish haste, after all was discovered, to leave Hanover for the lonely Ahlden; that no charitable thought moved anyone of the electoral house is shown clearly by the comments in their letters. The Duchess of Orleans, the foster-child, as it were, of the Electress Sophia, calls Sophia Dorothea a "cursed beast," and discourses on the foolishness of women who object to their husbands' mistresses and think they themselves have a right to retaliate in kind. A fortnight after the fatal first of July the electress writes to her niece, discusses some approaching gaieties, declares that the electoral princess will not be there to claim precedence over the Princess of East Friesland and that the electoral prince, who is still in Berlin, diverting himself admirably, unconscious as yet of what has happened, will have to console himself in common with many other heroes.

Unpitied, evidently considered much more guilty than she really was, Sophia Dorothea went into her long exile. She was allowed an income befitting her rank and might even drive out over the Lüneburg Heath if accompanied by a mounted guard. No one obtained access to her presence save by a special order of the governor of the castle; a little heap of the permits that he issued is still to be seen in the Hanoverian archives. Those dear to her save her mother, who visited her at regular intervals, she never saw again. After four years of captivity, on the occasion of the death of Ernest Augustus, she wrote this heart-rending appeal to her former husband:[1]

I shall never forgive myself for the displeasure I have caused your electoral Highness; I conjure you to accord me pardon for my past faults —I ask it once more, here on my knees and from my very heart. The regret I feel is poignant and bitter beyond power of expression. The sincerity of my repentance ought to gain for me this boon from your Electoral Highness, and if, as the supreme favor of all, you would allow me to see you and embrace our dear children my gratitude for the granting of such favors would be infinite. Nothing do I desire more ardently; could I but have this satisfaction I should be able to die in peace.

To the Electress Sophia she wrote on the same day imploring her intercession and begging to be allowed to kiss her hands. A third letter in like strain is also extant, written eighteen years later, at the time of George's accession to the throne of England; but no notice was ever taken, so far as we know, of any of these communi-

[1] Beaucaire, p. 170.

cations. On the contrary, the young George II. was severely reprimanded for having had the portrait of his mother in his room. More than once voices were heard from the English people demanding news of their rightful queen, but no explanation was ever given. When Sophia Dorothea died at Ahlden in 1726, the king permitted no honors whatever to be shown to her body although the citizens of Hanover were anxious to hold a memorial service. No name was placed on her coffin-plate, none among the living wore the least token of mourning for her. "Why did she not die fifty years earlier?" wrote the Duchess of Orleans to her half-sister; "it would have prevented many misfortunes."

Ernest F. Henderson.

THE EARLY POLITICAL USES OF THE WORD CONVENTION[1]

In the dialect of American politics the word convention is applied to gatherings of several different sorts. Occasionally, perhaps, it is used of primary assemblages or political mass meetings, though it may be that in such cases there is always present the notion of persons brought together from distant places, so that a selective principle is at work, even if it is only that inherent in the expense of railroad fares. But usually, it is certain, the word now conveys the concept of a body which is in some formal sense representative, an assemblage of delegates. Of such conventions, two types are most familiar. One is the constitutional convention, in which the representatives of the people are gathered for the purpose of framing an organic or fundamental law; allied to this were those Southern conventions which assumed to represent in a peculiar sense the sovereign peoples of their states and to declare their nullification of federal statutes or their secession from the federal Union. The other familiar type is that of those innumerable nominating conventions by which party organizations put forward their candidates for elective office. The instance of the Hartford Convention shows that there have been other species of the genus in modern times, but they have been less frequent than the two just mentioned. Of the two, it is well known that the latter, the nominating convention, seems to occur for the first time in 1788, and is found only in sporadic cases before the war of 1812. The history of the representative constitutional convention in America begins, apparently, with the early days of the Revolution, when provincial congresses or conventions framed new constitutions for the new states. But there were conventions before there was any making of constitutions, and few conventions of those years confined themselves to that function. An earlier American type than the constitutional convention, then, was that of the revolutionary convention, a body representative of the people and exercising powers of government, but of revolutionary origin.[2] There were not a few instances of county conventions, but the most important variety is the revolutionary convention of the colony or state.

[1] This paper was read before the American Antiquarian Society on October 27, 1897.

[2] The French Convention, called into existence by the law of August 10, 1792, was of this type, and doubtless derived its name from American examples.

It is not necessary to argue elaborately as to the sense in which the word convention was used when applied to these famous gatherings. It is well known that they usually consisted of, or closely resembled, a colonial legislature minus the governor and council, and not summoned by the governor, and that they were called conventions because, of all words denoting a political assemblage, convention was held to be the fit and technical term by which to designate such bodies as these. Precisely such an understanding of the term appears, not only in the case of the conventions of 1774, but in that of the Massachusetts convention of September, 1768. Such, also, was the convention of Massachusetts which Otis proposed in December, 1765. But the idea that this was distinctly the meaning of the word convention mounts farther back into the colonial times. Substantially this idea appears in the action of the lower house of the assembly of South Carolina in 1719. They declared that the writs whereby they had been elected were illegal, because signed by a council whose composition was illegal, as being different from that provided by the proprietary charter; and they therefore resolved "That we cannot Act as an Assembly, but as a Convention, delegated by the People, . . . until His Majesty's Pleasure be known."[1] It was the council and not the governor that was defective, but the thought that a defect in one estate and a consequent illegality in the summons of the lower house made the latter a convention, if it must act at all, is apparent. The same thought is evinced by the Massachusetts convention of May, 1689, and by the Maryland convention of the same year, for though the latter body does not seem to have called itself a convention, there is evidence that it was contemporaneously so called by others.[2] During the course of Bacon's Rebellion in Virginia the rebel chieftain summoned "all the prime Gent:men in these parts to give him a meeting in his quarters" (August 3, 1676).[3] In the declaration which it put forth this body does not call itself a convention,[4] but it is so called in the contemporary narratives of Burwell and Mrs. Cotton and in the later accounts by "T. M." and Beverley.[5]

It is obvious that the instances cited from the years 1689 and 1719, and from later years just preceding the Revolution, were based on the precedent of the English Revolution of 1688, in which the leading part, in representing the nation, was taken by a body

[1] *A Narrative of the Proceedings of the People of South Carolina*, in Carroll's *Historical Collections*, II. 189.

[2] *Maryland Archives*, VIII., XIII.

[3] Mrs. Cotton, in Force's *Tracts*, I., p. 5.

[4] Beverley, p. 75.

[5] Burwell, p. 16, Mrs. Cotton, p. 5, "T. M.," p. 21, in Force, I.

which was substantially a parliament, but which was not summoned by the king and lacked his presence and concurrence, and which, therefore, called itself a convention until the day when, having declared William and Mary king and queen, it declared itself a parliament. There seems to be no evidence that Nathaniel Bacon's convention was modelled on that of 1660. Bacon had been a student of Gray's Inn in 1664, and he was related to that Nathaniel Bacon, member of all the parliaments of the Commonwealth and the Protectorate, who wrote *An Historical Discovery of the Uniformity of the Government of England*, one of the leading constitutional text-books of the country party. Bacon must therefore have been familiar with English precedents. But, as we have seen, it is not known that he called his meeting a convention, and some of Mrs. Cotton's phrases seem to indicate a mass meeting rather than a body of delegates. Other instances of the use of the word convention in its etymological sense of meeting merely, are those conventions of the Massachusetts ministers which began to be held annually before the close of the seventeenth century,[1] and such conventions of the clergy of Virginia as that of 1719, whose transactions are recorded by Bishop Meade.[2]

But whence came the before-mentioned use of the term into English practice? The word as a technical term is unknown to the older parliamentary law of England. The convention of 1689 sought in vain for precedents anterior to 1660.[3] That before the Civil War the word convention, to the English mind, meant simply

[1] Walker, *History of the Congregational Churches in the United States*, pp. 201, 202.

[2] *Old Churches, Ministers and Families of Virginia*, II. 393.

[3] Lady Mordaunt, in a letter to her husband, March 30, 1660, *Clarendon State Papers*, III. 712, says that a lawyer tells her that though there is probably no English precedent for the summons of Parliament by other means than through the action of the Crown, he supposes one may be found in the special commissions for the calling of a parliament in Ireland. In the debates of the convention of 1689 Serjeant Maynard, a great authority, declared it useless to attempt to found the legality of that convention on precedents. There are evidences, by the way, that some of its contemporaries conceived of that convention as possessing those extraordinary and sovereign powers which in later times have been attributed in America to constitutional conventions and conventions for secession. Thus, in *A Brief Collection of some Memorandums: or, Things humbly Offered to the Consideration of the Members of the Great Convention and of the succeeding Parliament* (1689), we read (p. 7) that although that body consists of the same lords and the same commons that usually make up a parliament, "yet being the Representative of the whole Kingdom gathered together in an extraordinary case and manner, and for extraordinary ends, it seemeth to be something greater, and of greater power, than a Parliament. If the whole Nation, thus assembled, shall deliberate about and settle a *New Government* (as if they were to begin the World again) this seemeth to be a Transcendent, Extraordinary and Original power, beyond what they could exert, as a Parliament;" and again (p. 13), "If this *Convention* can do anything, cannot it make laws truly *Fundamental*, and which shall have the same Firmitude and continuance as the Government it sets up?" The view that such conventions can change the terms of the national political contract is also expressed in *A Discourse concerning the Nature, Power and Proper Effect of the Present Conventions in Both Kingdoms* (1689). I have seen no earlier traces of this thought; but see p. 484, *post*, as to Vane.

meeting, even when the word was used of Parliament, may be seen by comparing the phrases in which two authoritative writers of that earlier time express a certain doctrine respecting barren sittings of Parliament. It was recognized as good law that if the representatives of the people came together and separated without the royal assent or refusal being given to any bill, there was technically no session.[1] Thus, when James I. dissolved the "Addled Parliament" of 1614, which had completed no statute, he said, in the commission for dissolving it: "Sed pro eo quod nullus regalis assensus, aut responsio, per nos praestita fuit, nullum Parliamentum, nec aliqua sessio Parliamenti, habuit aut tenuit existentiam."[2] Now the status of such parliaments came up before the judges in 1623, in a discussion relative to a statute which had been passed by the Parliament of 1593, to be in force till the end of the next *session* of Parliament. The judges declared: "If a Parliament be assembled, and divers Orders made, and a Writ of Error brought, and the Record delivered to the higher house, and divers Bills agreed, but no Bills signed: That it is but a Convention, and no Parliament, or Session."[3] Now when Sir Symonds D'Ewes, the contemporary of these judges, has occasion to take notice of a similar case, a brief sitting of the sixth parliament of Elizabeth, in 1586, he says that, since no bill passed, "it could not be a Session but a meer meeting."[4] It is evident from these two passages that by convention the judges meant simply meeting.[5] Nor have I found any instance in which Englishmen before the outbreak of the Civil War used the word in a more technical sense.[6]

[1] Hatsell, *Precedents*, I. 133 n., II. 284.

[2] *Old Parl. Hist.*, V. 303.

[3] Hutton's *Reports* (1656), p. 61. In their subsequent discussions, id., p. 62, doubt was cast on this view; but this does not concern the present argument.

[4] *Journals*, p. 383.

[5] So likewise in a passage to which Professor Edward Channing has kindly called my attention, on p. 10 of *Proceedings and Debates of the House of Commons in 1620 and 1621* (Oxford, 1766), where allusion is made to "the last Convention of Parliament," "the last Meeting or Convention of Parliament (which was no Parliament, for that divers Members of that House, after the said Convention, were punished and sent to the Tower for freely speaking their conscience there . . .)."

[6] Mr. Charles H. Firth, of Oxford, has kindly called to my notice a passage in Clarendon's *History of the Rebellion* (Book II., § 95), in which, speaking of the Great Council called by Charles at York, in 1640, in order to avoid calling a Parliament, Clarendon says: "A new Convention, not before heard of, that is, so old that it had not been practised in some hundreds of years, was thought of, to call a Great Council of all the Peers of England." For "Convention" I find "Invention" in the original edition of 1702, I. 116, in that of 1717, I. 147, and in the Dublin edition of 1719, I. 84, and really this seems to my mind to make better sense. But the Oxford-Boston reprint of 1827, I. 240, has "Convention," and so has Mr. Macray's edition of 1888, I. 193, and these I understand present texts more authoritative than those of the early editions. The word can hardly be thought to have here a more definite meaning than that of "meeting." This portion of the book was, I suppose, written in the spring of 1646.

In the second place, though the representatives of the nation in 1689 applied the name convention to themselves, this was not true of the body which in 1660 restored Charles II. That body was elected in accordance with writs issued, by order of the Rump Parliament, in the name of the "Keepers of the Liberties of the Commonwealth of England." It, of course, lacked the authorization of the king. But the only way in which it recognized the public question thence arising was to pass an act, before the king's return, affirming its legality as unquestionable. From the first page of its journals, that is, for a month before the actual arrival of the king, it uniformly gives to itself the title of a parliament.[1] The application of the term convention to it was a matter of popular usage outside its walls. Bishop Burnet[2] speaks of it as "the new parliament, or convention, as it afterwards came to be called, because it was not summoned by the king's writ," implying that the less honorable term was not applied contemporaneously. But the fact is otherwise. A pamphlet of the year 1660, entitled *The Valley of Baca*, raises the question "Whether anything done by this convention can be obliging to the nation, seeing they have not the right constitution of a parliament, according to the fundamental laws of the Kingdom?" A reply to this, entitled *A Scandalous Pamphlet Answered*, speaks of the body as "the parliament, whom he maliciously calleth a convention."[3] Similarly, the author of a tract of the same year called *The Long Parliament is not revived by Thomas Phillips*, says of a portion of Phillips's arguments, "The rest is an answer to Mr. Pryn, and against the authority of this convention, which His Majesty has owned a Parliament."[4] These phrases, and especially those of the first royalist writer, evidently imply that a convention is understood to be a body lacking something of the complete legal forms necessary to constitute it a parliament.[5] Gumble, General Monk's chaplain, whose life of his patron was published in 1671, calls this legislature of 1660 a "Parliament or Convention,"[6] though he has called its pre-

[1] *Common Journals*, 1660, *passim*.

[2] *History of my Own Time*, ed. Airy, I. 160.

[3] *Somers Tracts*, ed. Scott, VII. 399, 400, 401.

[4] *Somers Tracts*, ed. Scott, VII. 486. This writer also, p. 487, uses convention in the sense of assembly or meeting merely.

[5] Apparently this notion underlies the use of the word by the Lord Chief Baron, Sir Orlando Bridgman, presiding at the trial of Major-General Harrison. Harrison had said that what he had done had been done by the authority of the Parliament of England. Bridgman declared it preposterous to give that name to the small portion of the Commons which remained after Pride's Purge; and, speaking for the court, says: "None of us do own that convention, whatsoever it be, to be the Parliament of England." *Tryal of the Regicides*, ed. 1713, p. 57.

[6] *Life of Monk*, p. 273.

decessors of the republican period parliaments. Edmund Ludlow, writing somewhat later, speaks of it as "the ensuing Convention, which by the vote of the Secluded Members was to be called a Parliament," and in another passage as "a Convention, calling themselves a Parliament."[1]

But the tendency to use the word convention as a semi-technical term denoting a parliament defective or of imperfect legality may be observed in connection with the parliaments of the preceding seven years, subsequent to the dissolution of the Long Parliament in April, 1653.[2] Of such parliaments there were four: that assembly of nominees vulgarly called Barebone's Parliament, July–December, 1653; the first parliament of the Protectorate, September 1654–January 1655; Oliver Cromwell's second parliament, September 1656–June 1657, January–February 1658; and that of Richard Cromwell, January–April 1659. The summons to the members of the first of these bodies studiously avoids giving it a name.[3] Its journal, at the beginning of its proceedings, calls it "this House." But on the third day it resolved, not without opposition and much suggestion of other names,[4] "That the Title of Parliament shall be given to this Assembly." I do not find that Cromwell, who convened it, ever gave it the name either of parliament or of convention, unless in a speech to the officers, reported in an anonymous letter which has perhaps little authority; he seems to call it either a meeting or an assembly simply.[5] Whitelock and Burton call it "the little parliament," its number being exceptionally small; and so does Hobbes in his *Behemoth*.[6] Edward Phillips, Milton's nephew, in his *Continuation* of Sir Richard Baker's *Chronicle* (1661) alludes

[1] *Memoirs*, ed. Firth, II. 247, 260.

[2] It is possible, indeed, that the word bears such a meaning in a passage, to which Mr. Firth has kindly called my attention, in the Declaration of March, 1644, which the Long Parliament put forth against the anti-parliament called by Charles at Oxford. They say that the king is attempting the overthrow and destruction of this Parliament and making way to the setting up of another at Oxford "in stiling that Convention by the name of 'The Lords and Commons of Parliament assembled at Oxford,' being the same title which is therein given to the Parliament." *Old Parl. Hist.*, XIII. 79; Rushworth, V. 576. But in several other passages of the documents relating to this affair the word is evidently used in the sense of "meeting."

[3] *Commons Journals*, VII. 281.

[4] *Commons Journals*, VII. 282.

[5] Carlyle, *Letters and Speeches*, IV. 35, 51, 52, 245. *Cromwellian Diary of Thomas Burton*, I. 383, "a Parliament or Convention." Mr. Gardiner, the second volume of whose *History of the Commonwealth and Protectorate* has appeared since this article was written, points out, II. 238, that in the vote upon assuming the title of parliament the tellers of the minority were both members of the Council of State; from this he thinks we may probably infer "that it was the wish of that body, and perhaps even of Cromwell himself, to mark by a less familiar title the exceptional character of the assembly."

[6] Whitelock's *Memorials;* but when speaking of it contemporaneously he calls it simply "the parliament." Burton, II. 67. Hobbes, *English Works*, ed. 1840, VI. 391.

to it as "this new Parliament (for so for distinction we must call it)."[1] Guibon Goddard in 1654 calls it a convention, and so does Ludlow.[2] Thurloe, writing on May 5, 1657, to Henry Cromwell in Ireland, names it "the little convention (as it is called here)".[3] As in a previous letter he had called it "the little assembly," "the little parliament,"[4] this may be thought to indicate that popular speech had begun, while Henry Cromwell had been absent, to assign to this body the name of convention in a peculiar sense, not unconnected with its irregular origin and composition. This thought is strengthened by a passage in Nathaniel Fiennes's *Monarchy Asserted* (1660) in which he gives the text of a speech delivered in April, 1657, in the course of the discussions respecting the offer of the kingship to Cromwell.[5] After the dissolution of the Long Parliament, he says, "the people might have had new writs sent unto them for the election of their representatives, who might have carried on the publick affairs of the nation by a new parliament; but it seems those times would not bear it, and therefore a convention of select persons were called, unchosen by the people, to whom all power was devolved; . . . [and] that assembly, to give greater authority to their actings, stiled themselves a parliament."

Similar phrases, showing a concurrent popular use of convention in the simple sense of meeting and in the special sense of a defective parliament, may be quoted with respect to the ensuing, or protectoral parliaments, except the first, whose legality seems not to have been disputed save by those who totally denied the validity of the republican government. From the first session of the second protectoral parliament Cromwell excluded a large number of members. It was on this ground that Hazelrig characterized it as a "forced Parliament, because some of us were forced out; an imperfect Parliament, a lame Parliament."[6] And doubtless it was on this ground that the author of a tract called *A Narrative of the Late Parliament* (*so called*) published in 1657, frequently calls the body "the late convention."[7] Apparently it is in this sense that Edward Phillips says, "The last Convention having adjourned on the 26th of June, met again on the 20th of January following,"[8] for he gives the title of parliament freely to Richard Cromwell's legislature.

[1] P. 638.
[2] Goddard in Burton, I. xxx. Ludlow, ed. Firth, I. 365, 366.
[3] Thurloe, *State Papers*, VI. 261.
[4] Ibid., p. 243.
[5] *Somers Tracts*, VI. 384.
[6] February 7, 1659, Burton, III. 101.
[7] *Harleian Miscellany*, III. 466, *e. g.*
[8] *Continuation of Baker* (ed. 1661), p. 649.

Richard's parliament, however, though there were no such exclusions from it, and though in respect to the distribution of seats it reverted to the customs of the ancient constitution, rested, like all his government, on the constitution called the Humble Petition and Advice, which had been framed by the "forced Parliament, imperfect Parliament, lame Parliament" of Oliver. There were those among the republicans, therefore, who denied all legality to that constitution,[1] and some of these are found denying the title of parliament to the legislature summoned by Richard. Such was Ludlow, who calls it "Richard's Convention," and such was Mrs. Hutchinson, who calls it "a convention . . . with a seeming face of authority of parliament."[2] Similarly, the royalist author of *England's Confusion*, speaks of it, with a touch of irony, as "a general convention, or parliament, wisely chosen by influence from court."[3] The royalist view of this parliament is hinted at in a passage in *The Tryal of the Regicides*,[4] in which one of them, Thomas Scott, arguing that what he had said in Richard's parliament was privileged, says: "I have heard the Rule [*i. e.*, the ruling of the court] but do not so well understand it, of that spoken in Richard's Parliament; it will be a nice Thing for me to distinguish between that and another Parliament; but this I think, that Convention of the People ought to have the Privilege of the Parliament as well as any other." In other words, if not completely a parliament, it was a quasi-parliament, a convention. It is worth while to add that during these same years Vane, in *The Healing Question* (1656), gave the name of convention to that representative body, or quasi-parliament, by which he would have had the constitution of republican England framed; and Hobbes, in his *Government and Society*, uses the phrase "convention of estates" to designate a supposed quasi-parliament.[5]

In sum, then, it appears that, on the one hand, before the Civil War in 1642 the word convention bears no special or technical sense in the political speech of Englishmen; and that, on the other hand, from the time of the dissolution of the Long Parliament in 1653 we find very definite traces of the idea that a convention is a parliament with certain defects, or marked by certain irregularities. Whence had this idea, which, as we have seen, was also the original idea of the word as politically used in America, been derived or im-

[1] Slingsby Bethel, *True and Impartial Narrative of the most material Debates and Passages in the late Parliament* (1659), in *Somers Tracts*, VI. 480.

[2] *Life of Col. Hutchinson* (ed. 1806), p. 344.

[3] *Somers Tracts*, VI. 515.

[4] Ed. 1713, p. 104.

[5] *English Works*, ed. 1840, II. 87.

ported? I venture to suggest that it was from Scotland. In the constitution of that kingdom the Convention of Estates had a recognized place as a legal institution, and the phrase had a definite meaning. A convention of estates was a less formal parliament, not requiring the warrant or concurrence of the Crown. Its powers also, though not defined with perfect exactness, were less extensive than those of the parliament; it could levy troops and raise money, but it could not make or repeal laws.[1] Such an institution seems not to appear in the medieval history of the kingdom. The first trace of the word convention which I find in the *Acts of the Parliament of Scotland* is under date of June 27, 1545, at Stirling: "Fforsamekle as It Is thought expedient be the quenis grace my lord gouernor and lordes of counsell convenit in this present conventioun," etc.[2] In this body, and in another assembled in 1561,[3] there was no representation of the third estate. But a convention embracing all three estates was assembled in 1566. Needing that year to raise twelve thousand pounds for the festivities connected with the baptism of their infant son James, the King and Queen (Darnley and Mary) gathered together "a gude nowmer of the prelattis nobilitie and commissionaris of burrois convenit this day to that effect."[4] The first examples of a convention not summoned by a king seem to have been that which in 1571, the regent Lennox having been mortally wounded, came together at Stirling and chose Mar to be regent in his place, and that which, in the next year, on a similar occasion, elected the regent Morton.[5] Eleven conventions are recorded within the next twenty years; the records of the last twenty-three years of James VI. show eighteen conventions to eleven parliaments. It is plain, then, that the Convention of Estates, though not one of the most ancient institutions of the Scottish monarchy, was now at least well established and definitely recognized. The degree of its independence of the king was less certain. As to his presence, Johnston of Warriston says, in a letter to Hepburn of Humbie, April 20, 1641,[6] relating to the recent convention of 1640: "Montrose did dispute against Argyle, Rothes, Balmerino, and myself; because some urged that, as long as we had a King, we could not sit without him; and it was answered, that to do the less was more lawful than to do the greater" (*i. e.*, to depose him). As to the summoning of the convention without having therefor the warrant of

[1] Laing, *History of Scotland*, I. 40. Rushworth, *Historical Collections*, V. 463, 466.
[2] *Acts of the Parliament of Scotland*, II. 595.
[3] Id., II. 606.
[4] Id., II. 608.
[5] Id., III. 65–70, 77–81.
[6] Napier, *Montrose*, I. 236.

the Crown, we may note what Robert Baillie says of the discussions that went on in the bodies which, in opposition to King Charles, were ruling Scotland on May 9, 1643:[1] "The nixt question was more hotlie handled, of their power to call the Estates. This Argyle and Warriston made clear by law and sundrie palpable practiques, even since King James's going to England, where the Estates have been called before the King was acquainted . . . So to-morrow . . . verie unanimously they concluded a Convention of Estates at Edinburgh, June 22d." Another passage in Baillie's letters indicates the views entertained as to the powers of a convention. When the body came together on the date appointed, the Duke of Hamilton presented a letter from King Charles intended to restrict their actions, and especially to restrain them from military preparations. "Bot that," says Baillie,[2] "drew on the question of the House's constitution, whether absolutely or with limitation: when absolutelie had carried it, Hamilton came no more to the house."

Such was in 1643 the Scottish Convention of Estates. The points of resemblance between it and the English bodies we have been inspecting are manifest. As to the transference or borrowing of the term convention, it might readily happen that down to the outbreak of the Civil War the knowledge of such an institution as existing in North Britain was not common among Englishmen, nor had there been in England irregular parliaments for which the name might naturally be borrowed. But it was this very convention of 1643 which allied itself with England in the Solemn League and Covenant for the prosecution of the war against the king, and which cemented that union by joining in the institution of the Committee of Both Kingdoms. Those events must have made the essential features of the constitution of the Scottish conventions widely familiar to English politicians of the Parliamentary party. If the term convention, in the sense under which it has chiefly been discussed in this paper, came into the political vocabulary of Englishmen about this time, it is therefore not unlikely that it came from the northern kingdom.

It may be well to add that, immediately after the Restoration, the Scottish parliament of 1661 passed acts declaring that the power to call parliaments and conventions resided solely in the king, rescinding all acts made in a manner inconsistent with this prerogative, and declaring the convention of 1643 to have been unlawful.[3] Conventions thus restricted were held in 1665, 1667 and

[1] *Letters and Journals of Robert Baillie*, II. 68.
[2] Id., II. 77.
[3] *Acts Parl. Scot.*, VII. 10, 16.

1678. The last Scottish convention was that of 1689, which accomplished for Scotland the same revolution that was carried out by the English convention of 1689, and which is perhaps most familiarly kept in mind by the opening lines of the spirited song which Scott wrote to the air of "The Bonnets of Bonnie Dundee:"

"To the Lords of Convention 'twas Claver'se who spoke."

J. Franklin Jameson.

DOCUMENTS

1. A Letter of Jefferson on the Political Parties, 1798.

To the Editor:

The following letter, by Thomas Jefferson, now for the first time published, was written seven weeks after President Adams proclaimed the adoption of the Eleventh Amendment and about three months before the passage of the Alien and Sedition Laws. Jefferson was at this time busily organizing the Democratic-Republican Party, as hinted in the reference in the letter to the conversations he held with his friends at Francis's Union Hotel—a noted public house, located at No. 13 South Fourth Street, Philadelphia. It was known as the Indian Queen before the Revolution. It was the scene of many famous dinners, and from its steps Washington bowed his farewell to the people, when, after Adams's inauguration, he accompanied the President, followed by a great throng, and left him at this hotel, where he was to lodge.

The letter contains one of the earliest descriptions of American political parties—at least by Jefferson—that has yet come to light. It suggests why Virginia was selected as the field for the operations of the new party, and contains probably the first draft of the now famous sentence in Jefferson's first inaugural, "We are all Republicans; we are all Federalists." The MS. belongs to Maj. Wm. H. Loyd, of Ardmore, Pennsylvania, who kindly put it into my hands some years ago, and with his consent I make it public.

Francis N. Thorpe.

Philadelphia February 12. 1798.

Sir

I have duly received yours of the 28th Ult° mentioning that it had been communicated to you, that in a conversation in Francis's Hotel (where I lodge) I had spoken of you as of Tory politics; and you make inquiry as to the fact and the "idea to be conveyed." I shall answer you with frankness. It is now well understood that two political Sects have arisen within the U. S. the one believing that the executive is the branch of our government which the most needs support; the other that like the analogous branch in the English Government, it is already too strong for the republican parts of the constitution; and therefore in equivocal cases they incline to the legislative powers: the former of these are called federalists, sometimes aristocrats or monocrats, and sometimes tories, after the corresponding sect in the English Government of exactly the same definition: the latter are stiled republicans, whigs, jacobins, anarchists, disorganizers &C. these terms are in familiar use with most persons, and which of those of the first class, I used on the occasion alluded to, I do

not particularly remember ; they are all well understood to designate persons who are for strengthening the executive rather than the legislative branches of the Government ; but probably I used the last of those terms, and for these reasons : both parties claim to be federalists and republicans, and I believe with truth as to the great mass of them ; these appellations therefore designate neither exclusively, and all the others are slanders, except those of whig and tory which alone characterise the distinguishing principles of the two Sects as I have before explained them ; as they have been known and named in England for more than a century and as they are growing into daily use here with those, whose respect for the right of private Judgment in others, as well as themselves, does not permit them to use the other terms which either imply against themselves or charge others injuriously.

I remark with real Sensibility the Sentiments of esteem you are pleased to express for my character, and do not suffer myself to believe they will be lessened by any difference which may happen to exist in our political opinions, if any there be : the most upright and conscientious characters are on both Sides of the question : and as to myself, I can say with truth, that political tenets have never taken away my esteem for a moral and good man : on this head I have never uttered a word nor entertained a thought to your prejudice : and even as to politics I could say nothing of my own knowledge as you must be sensible ; but only from the Information of others, having understood on different occasions, that on public questions you have generally concurred with those who were on the Side of executive powers : if in this I have been misinformed, I shall with pleasure correct the error, if otherwise, your conviction of the Solidity of your opinions, will render it satisfactory to you that they have not been mistaken : this is the Sentiment which each side entertains of its own opinions and neither thinks them the Subject of Imputation. I am really sorry that any one should have found gratification in paining you or myself by such a communication ; the circumstance took place in a familiar conversation with gentlemen, who with myself mess together every day at our lodgings, and was therefore the less guarded ; and I do not recollect that there was a person present but of our ordinary Society ; the occasion too was as clear of exception, being used in proof how little of party Spirit there is in Virginia, and how little it influences public proceedings there, and so transient withal, that I dare say it has not been since thought of nor repeated, to any other person than yourself, with what view is not for me to consider.

I have thought I owed to your private and public character this candid declaration, and I have no fear you will mistake the motives which lead to it.

I have the honor to be with great Respect
Sir
your most obedient Servant

The Honb.le Mr Wise[1] Th : Jefferson.

[1] This was probably John Wise, of Virginia.

2. Documents on the Relations of France to Louisiana, 1792–1795.

THE following documents, copied from the Archives des Affaires Étrangères, Paris, for the Historical Manuscripts Commission of the American Historical Association, elucidate the attempts of Genet upon Louisiana in the years 1793, 1794. In the first report of that Commission (*Report of American Historical Association for 1896*) were printed Genet's complete instructions and a collection of documents chiefly from the French archives and from the George Rogers Clark MSS., of the State Historical Society of Wisconsin, showing that a main object of Genet's mission was to conquer Louisiana, the Floridas and Canada, with the aid of Americans friendly to France. To the references in that report may be added the following:

C. DeWitt, *Thomas Jefferson, Étude Historique sur la Démocratie Américaine*, Paris, 1861. (The appendix prints a number of documents from the Archives des Affaires Étrangères, bearing on the project.)[1]

Aulard, *Recueil des Actes du Comité de Salut Public*, I. 361, 393, 478.

Journal of André Michaux, in *Proceedings of American Philosophical Society*, 1889. (The references to his part in the project are brief and scattered, but are important as giving his itinerary and his meetings with George Rogers Clark, Shelby, Jefferson, and others.)

Documents illustrating the Canadian side of the French project are found in the Canadian Archives, particularly in Brymner's *Reports* for 1891 and 1894.

The attempt against Louisiana and the Floridas from the side of South Carolina and Georgia was led by Samuel Hammond and William Tate, under the immediate observation of Mangourit, the consul at Charleston. In this expedition Elijah Clarke, of Georgia, also had part. One of the divisions was to descend the Tennessee and to co-operate in the attack on New Orleans. The Historical

[1] Aside from the documents printed in the *Report of the Historical Manuscripts Commission* for 1896, DeWitt prints the following documents (pp. 515–559): "Extrait des Registres des Déliberations du Conseil Exécutif Provisoire," January 17, 1793; letters to Genet from the minister of foreign affairs (Lebrun), February 24, March 10, 1793, (Deforgues) July 30, 1793; letters of Genet to the minister, April 16, May 18, May 31, June 19, July 31, August 15, September 19, October 7 (13A and 13B), and December 10, 1793; an "Arrêté du Comité de Salut Public," October 16; a letter of Samuel Adams to Genet, October 22; and an extract from the "Rapport fait à la Convention Nationale au nom du Comité de Salut Public par le Citoyen Robespierre," November 17, 1793.

Manuscripts Commission will print in its next *Report* the Mangourit Correspondence from the Archives des Affaires Étrangères.

FREDERICK J. TURNER.

I. IMLAY, MEMOIR ON LOUISIANA.

(Archives des Affaires Étrangères, Louisiane et Florides, 1792 à 1803, Vol. 7, doct. 1.)

Memoire sur la Louisiane, présenté au Comité de Salut public par un Citoyen Américain[1]

Le Capitaine Imlay[2], persuadé que votre attention est sans cesse entrainée sur une multitude d'objets, par les évênemens qui se pressent les uns sur les autres, en ce moment critique de votre glorieuse révolution, n'ose presque espérer que vous voudrez bien vous occuper quelques instans de plans politiques qui n'ont pas une relation immédiate avec le Salut de votre liberté

Mais les avantages sans nombre que présente à la France l'exécution d'un projet sur la Louisiane, le peu d'attention qu'il Faut pour les appercevoir, La Facilité de les obtenir, tout le porte à croire qu'en venant vous offrir quelques éclaircissemens Sur cet objet, il ne s'expose ni a paraître importun, ni à essuyer un refus. Il craint d'ailleurs que les papiers présentés sur ce sujet à votre Comité par le Ministre le Brun n'ayent pas encore pu être examinés dans un tems où vos travaux continuels suffisent à peine pour tout ce qu'exige de vous le Salut public

La Louisiane est regardée par l'Espagne comme la pierre angulaire qui soutient ses mines brillantes, ces réservoirs sans Fond de sa richesse imaginaire ; et lorsque les établissemens du Nord de l'Amérique se sont rapidement étendus jusque sur les bords Fertiles du Mississipi, elle a tremblé qu'ils ne lui fussent enlevés. Il y a Sept ans que le Ministre d'Espagne résidant auprès des Etats Unis, mit en œuvre tous les ressorts de sa politique pour sapper ces établissemens, et les empêcher de s'élever à un dégré imposant de Force et de puissance

Ce Ministre sentait bien qu'en terminant la contestation élevée par les Citoyens des Etats unis Sur la liberté de descendre le Mississipi pour entrer dans l'Océan, il arrêterait ces etablissemens. Il fit des représentations réiterées à la Cour de Madrid sur le danger de les laisser approcher des possessions Espagnoles, il obtint enfin qu'il serait autorisé à proposer aux Etats Atlantiques de grands avantages pour leur commerce dans les ports d'Espagne, et dans ceux de ses isles : mais à condition que les Etats Unis consentiraient à abandonner leurs prétentions au Droit de naviguer sur le Fleuve du Mississipi

Ces projets ayant avorté, l'Espagne n'en a pas moins continué à

[1] Endorsed : "1792 Cn Otto." Compare *Report of American Historical Association*, 1896, (Hist. MSS. Comm.), p. 953.

[2] See Gilbert Imlay, *Topographical Description of the Western Territory of America ;* Paul, *Letters of Mary Wollstonecraft to Gilbert Imlay ;* Appleton's *Cyclopaedia of American Biography.*

amuser les Américains, en leur Faisant des propositions aussi méprisables at aussi dérisoires que Son despotisme est oppressif. Mais les habitans de la partie occidentale des Montagnes Appalaches ont les yeux constamment tournés vers le moment Favorable où ils s'empareraient de la nouvelle Orléans de manière à pouvoir en conserver la possession. Cette conquête est certaine dès qu'ils voudront l'entreprendre ; elle Serait même Fort aisée. Mais vouloir conquérir la Louisiane lorsqu'il Serait très Facile à l'Espagne de Fermer l'embouchure du Mississipi, tant qu'ils n'auraient point de vaisseaux pour la garder, ce serait aussi ridicule que le Sont les efforts chevaleresques des despotes de l'Europe pour rétablir l'ancienne tyrannie de la France.

Telle a été la rapidité des progrès de ces établissemens qu'un nouvel Etat s'est Formé sur les bords de l'Ohio depuis 1780 et qu'un désert inhabité s'est changé tout-à-coup en une contrée couverte d'une population si nombreuse qu'elle a demandé et obtenu d'être admise dans la confédération des Etats Unis. d'autres établisemens Se Forment encore de chaque coté, vers l'embouchure de la riviere, et tous avec la même rapidité, dans une etendue de 400 lieues de France en y comprenant les sinuosités de la Rivière, et non moins de 250 Lieues en droite ligne.

Le Capitaine Imlay est persuadé que, Sans y comprendre ceux qui se sont établis sur l'etendue du territoire Espagnole le nombre des Blancs vivant sur les bords du Mississipi se porte au moins à 400,000 ames. Sur ce nombre, il se trouve peut-être plus de *quarante mille hommes* en état de porter les armes : la plupart d'entre'eux, engagés pendant plus de douze ans dans des combats contre les nations Sauvages ; sont aussi habiles à les manier que les vétérans les plus expérimentés. Ce sont des hommes brulans du Feu de la liberté, et vivement aigris contre l'Espagne qui ne cesse de violer leurs privilèges, d'apporter des entraves au cours naturel de leur prospérité, et de paralyser pour eux la main active de l'industrie et de l'émulation.

C'est d'aprés une connaissance acquise par une ancienne et longue résidence parmi ce peuple justement indigné, que le Capitaine Imlay ose affirmer que ce même peuple a trop le sentiment de sa dignité pour laisser échapper l'occasion de se faire lui-même justice. independamment des Forces qui pourraient venir des établissemens des Etats unis dans les contrées occidentales, on aurait bientôt levé dans la Louisiane une petite armée qui serait assez Forte pour renverser dans cette partie le Gouvernement Espagnol.

De la nouvelle Orleans aux Natchés, il y a un établissement de plus de 50,000 ames, dont la totalité est composée de Français et d'Américains. Ils ont Si longtems gémi sous la tyrannie de cet horrible gouvernement qu'ils se leveraient en masse, et arboreraient l'étendart de l'indépendence à la moindre lueur de liberté. Les forces Espagnoles ne se montent pas à plus de 1500 hommes de troupes, qui ont à garder la rivière depuis la nouvelle Orléans jusqu'a St. Louis, à l'embouchure du Missouri, une étendue de pays, au moins de 600 lieues de France : et un grand nombre d'entr'eux Sont Français.

L'Egoïsme, ce malheureux principe qui influence trop souvent la conduite politique des Etats unis, les porterait sans doute à étouffer promptement tout projet qui tendrait à miner la puissance Espagnole en Amérique dans la crainte de se trouver enveloppés dans une querelle avec l'Espagne, et de perdre les avantages commerciaux dont jouissent les pays sur les bords de la mer qui constituent la majorité des Etats, et que leur procure leur neutralité actuelle à l'égard des puissances bélligérantes. d'áprés ces considérations, il serait nécessaire de conduire cette affaire avec beaucoup de circonspection, et la plus grande habileté.

Mais si la dignité de la liberté a été blessée, si l'honneur commande à des hommes libres d'effacer cet opprobre, il serait aussi honteux que lâche aux habitans de la partie occidentale, de suivre les principes d'une politique aussi étroite et aussi peu généreuse, et d'abandonner où d'arrêter une entreprise qui doit elever cet empire naissant à un si haut dégré de splendeur.

L'Espagne connaissant tout l'odieux attaché aux Formes tyranniques de son gouvernement, non seulement sentirait tous Ses nerfs trembler dans son corps paralysé, mais encore selon toute apparence, Ferait tous Ses efforts pour soutenir la grandeur imaginaire de son empire d'Amérique, et vuiderait plus vite ses coffres. par-là la France aurait toute sorte d'avantages lorsqu'il s'agirait de négocier la paix

La proximité de la Louisiane et des Antilles aurait dans peu de tems Fait de la nouvelle Orléans l'entrepot naturel d'où ces îles tireraient la plus grande partie des objets que ne leur Fournit pas le sol des pays situés entre les tropiques. Et la France, lorsque son commerce viendrait à se régénérer, pourrait tirer de grands avantages des productions de cette contrée Fertile. Les établissemens vers le haut de L'Ohio qui embrassent Kentuky et le Cumberland, produiraient peut être en moins de cinq ans plus de tabac que n'en produisent ensemble la Virginie et le Maryland, dès qu'une Fois la navigation du Mississipi serait ouverte. En effet le sol de ces établissemens est, non seulement plus neuf, mais encore plus gras. Celui de l'ancien pays est entièrement épuisé par la culture Funeste de cette plante. Ces contrées pourraient même en produire plus qu'il n'en Faut pour la consommation du globe, et à un prix plus bas qu'on ne le vend actuellement ; par conséquent le commerce de cette denrée passerait en entier dans la nouvelle Orléans.

Jusqu'a quel dégré les intérêts politique de la France exigent-ils qu'elle conserve la Nouvelle Orléans, tandis que le Sucre, le caffé et le Coton Forment des articles importans de son economie domestique, et qu'elle ne peut les tirer que des indes occidentales? Jusqu'a quel point le commerce de la Louisiane établi sur des principes généreux, ce premier mobile de la prospérité, contribuera-t-il à Faire Fleurir de nouveau le commerces des indes occidentales? ce sont là des considérations sur lesquelles le Capitaine Imlay ne veut point s'appesentir. Il ne veut que les soumettre à la sagesse de votre Comité, persuadé d'ailleurs que les habitans de la partie occidentale de l'Amérique seraient au comble de leurs vœux, s'ils avaient une communication libre et directe avec la mer ;

parcequ'ils n'ont aucune possession maritime, ni l'ambition d'en acquerir.

d'aprés ces considérations, indépendamment du dommage que pourraient causer aux navires de vos ennemis qui s'en retournent chez eux, et qui passent le long des isles sous le vent, les Corsaires sortant de la nouvelle Orléans, Le Capitaine Imlay a pensé que cette diversion pourrait seconder les nobles efforts que vous Faites pour consolider la liberté et l'Egalité, et vous procurer des moyens qui seraient dans la suite très avantageux à votre commerce.

Si votre Comité voit évidamment l'importance de ce plan, Le Capitaine Imlay se persuade que la Faible dépense qu'il nécessiterait, laquelle n'excéderait pas *sept cent cinquante mille livres*, comme on le verra par l'état joint aux projets présentés à votre Comité par le Ministre le Brun, ne sera point une raison pour l'abandonner: il n'apportera d'ailleurs aucun retard aux autres plans de votre gouvernement. avec cette Somme on obtiendrait un succès infaillible.

Mais si votre Comité regarde la dépense qu'exige l'exécution de ce plan, comme trop considérable ; ou si dans le moment de crise où se trouve la république, il n'a pas le tems d'examiner, et de peser les conséquences de cette expedition, Le Capitaine Imlay ose croire que rien ne s'oppose à ce qu'on charge le Ministre des affaires Etrangères de donner une Commission en blanc avec des instructions sur cet objet, au Ministre Genet, résidant a philadelphie, afin qu'il suive ce projet ; ou qu'on laisse la chose entièrement à sa discretion, car il serait très possible de trouver des hommes dans les établissemens de la partie occidentale, qui entreprendraient cette expédition à leurs propres risques et dépens, s'ils étaient assurés que les colons et la République Française leur donneront des Secours.

II. COMMITTEE FOR THE EXPEDITION AGAINST LOUISIANA.

(Archives des Affaires Étrangères, Espagne, Vol. 635, doct. 313.)

Comité
à former pour l'expedition de la louisiane et celle des autres establissemens espagnols[1]

Ce Comité doit exister en Amérique et n'agir que sous la direction du ministre de france près des états unis.

son objet doit être

1.° de s'occuper des moyens d'enlever à l'Espagne la nouvelle orleans et toute la Louisiane.

2.° de rechercher les moyens de faire soulever toutes les Colonies espagnoles soit dans le continent soit dans Les îles.

3.° de faire passer dans nos Colonies, les denrées comme bleds et salaisons

[1] Endorsed: "Mars 1793."

de territoire de L'ouest d'amérique, qui sont des deux tiers moins chers que pris dans les Etats unis.

On peut admettre dans ce Comité

1.° Joel Barlow,[1] Americain depuis naturalisé citoyen français. C'est un véritable ami de la liberté, philosophe, pur dans ses mœurs. ce qui mérite toute espece de confiance, il a bien servi et la revolution américaine et la révolution française, on pourait lui confier la direction generale sous Genet et le maniement des fonds.

2.° Sayre[2] né en Amérique, sheriff a Londres, depuis établi en france, il a une grande activité beaucoup de fertilité dans la tête pour les expédiens ; il connait l' Amérique et saura tirer parti des dispositions des habitans contre l' Espagne. Sayre sera tres utile, pourvu qu'il soit bien surveillé.

3.° Beaupoil—c'est un officier français qui a servi de bonne heure entre autres dans la Confédération polonaise de 1771.—il a du courage, une fort résolution, il connait le pays et sera excellent pour l'ataque

4.° Lyonnet—français qui a passé quelques années à la nouvelle orléans, connait les localités, il parait d'une humeur paisible mais il servira par ses lumieres locales.

On pourait envoyer ces quatre personnes à Philadelphie avec une mission secrete et différens brevets, ils formiraient les commencemens du Comité que je propose.

On donnerait des appointemens à ces quatre individus proportionnés à l'emploi qu'ils auraient dans cette entreprise

Avant leur départ ils concerteront leur plan avec le citoyen Otto qui connait bien les ressources qu'on peut trouver dans les Etats unis pour faire réussir cette expédition.

Il ne faudrait pas perdre un moment pour arrêter le plan.

Il y a maintenant différens navires prêts à retourner en Amérique, il serait à propos que ces quatre individus partissent par des batimens séparés.

En partant Sous un moïs, ils arriveront en Amérique dans le cours de Juillet, et n'auront pas trop de tems pour achever cette année l'affaire de la Louisiane ; à moins que Genet ne la prépare.

Si Genest n'a pas de brevets d'officiers, il faudrait lui en envoyer, ainsi qu'une autorisation générale, pour préparer le soulevement des Colonies espagnoles.

Il faudra aussi l'autoriser à appliquer à cette enterprise une partie des sommes dues par les états unis, à la france.

On pourait acheter du Congrès pour le Compte simulé de nos colonies 8 à 10,000 fusils.

Peut être faudra-t-il envoyer d'ici de la poudre et des balles.

[1] Todd, *Life and Letters of Joel Barlow*, New York, 1886. See also *Report American Historical Association*, 1896, p. 945, note 3, p. 954. Winsor, *Westward Movement*, 311, discusses the relations of Barlow to Brissot, in reference to the Scioto speculations.

[2] See Appleton's *Cyclopaedia of American Biography*. On December 27, 1793, Stephen Sayre presented to Congress a claim for service under Arthur Lee and Franklin, during the Revolution.

Ces quatre personnes designées prépareraient le soulevement des Colonies espagnoles que pourait achever Miranda.

Il est probable que le Méxicain qui a écrit au Citoyen Claviere pour cette expédition, sera assuré avant le depart des quatre citoyens et alors il faudra l'entendre et concerter tout avec lui.

III. PIERRE LYONNET'S CONSIDERATIONS ON LOUISIANA.[1]

(Archives des Affaires Étrangères, Espagne, Vol. 635, document 316.)

Considerations sur la Louisiane[2]

La Louisiane qui fesait autrefois partie de nos possessions d'outremer, et qui s'étend depuis le vingt neuvième degré de Latitude Septentrionale, jusqu'au quarante cinquième et au delà, se trouve divisée aujourd'hui entre les Espagnols et les Américains. Il s'en faut de beaucoup que le partage des derniers soit aussi avantageux que celui des premiers qui ont usurpé sur eux et la navigation du fleuve, et la possession de ce qu'il y a de meilleur Sur la rive orientale, quoique le traité de paix de 1783 leur donnât des droits incontestables a ces deux grands objets. Ce n'est pas que les Colons répandus sur la belle riviere autrement dite *l' Ohio*, n'aient été très sensibles à cet outrage, et qu'ils n'aient même porté leurs plaintes au Congrès; mais soit que Le Sénat Américain ait cherché à menager l'Espagne, ou qu'il ait vu d'une œil jaloux la prospérité des nouveaux Etats; il est certain qu'il a fermé l'oreille à leurs cris. Cependant les demandes et les menaces se sont renouvellées avec aigreur, et sans la malheureuse guerre avec les Sauvages, les Américains occidentaux auraient déja forcé l'Espagne à leur rendre justice. Ne dependants du Congrès que pour la forme; séparés des autres Etats par des bois et des montagnes immenses, ils frémissent de voir leur prosperité suspendue par l'impossibilité des exportations; Ils sentent avec douleur que tout libres qu'ils sont, L'Espagne en leur bouchant le Mississipi, les a rendus esclaves. Ils sentent qu'ils peuvent aprovisionner les Antilles en comestibles de tout genre, et s'aprovisionner eux mêmes des Eaux de vie de france, ainsi que de plusieurs autres articles. Avec quels transports ne recevraient-ils pas des amis qui en les aidant à conquérir la navigation du Mississipi, se chargeraient en même tems de tout L'odieux que la Cour de Madrid trouverait dans une attaque contre la Louisiane. Je dirai plus; Le Congrès approuverait tacitement une entreprise de cette nature par des français, s'il est vrai de dire qu'elle lui épargnerait des explications, et peut-être une prompte rupture avec le Monarque Castillan.

S'il est vrai et certain qu'une expédition contre la Louisiane serait bien vue des Américains des Pays à L'ouest; il est encore plus vrai qu'elle serait favorisée et soutenue par les créoles français du Mississipi. J'ai tort de dire Créoles français puisqu'il n'y a pas quatre espagnols

[1] Endorsed "Vers Mars 1793."

[2] Compare Nos. 1, 1a, 1b, 2, Clark-Genet documents in *Report of Historical Manuscripts Commission*, 1896, and the letters of Lyonnet, Nos. VI, VII and VIII, *post*. See also États-Unis, Vol. 7, folio 9, for another letter of Lyonnet.

établis hors de la Nouvelle Orléans. trente ans de servitude n'ont pu les détacher de leur mere Patrie, ni éteindre en eux une fierté qui est naturelle aux Américains. La disparité des usages et des mœurs de leurs tirans, leur inspire une haine insurmontable contre tout ce qui est espagnol. Tous ceux qui ont sejourné parmi eux, assureront avec moi qu'ils Sont entièrement devoués à la france et qu'ils soupirent après le moment qui leur rendra leur première existence. Ils n'ont pas oublié le massacre de leur concitoyens par le féroce Oreilly. Et comment l'auraient-ils oublié, quand le sang de tant de victimes de leur amour à la france, fume encore et demande vengeance. Si le despotisme a pu la refuser, que les enfans de la Liberté l'accordent La Jeunesse créole aussi martiale que la Jeunesse de france lui est supérieure pour l'adresse dans les exercices du Corps et l'habitude à manier les armes.

Apres avoir dit deux mots sur les dispositions des Américains à l'ouest, et surtout des Louisianais, je vais donner une description succinte, mais exacte des postes et des forts que l'on trouve depuis l'embouchure de l'ohio dans le Mississipi jusqu'à la$_2$ N$^{lle}_2$ Orléans capitale du Pays. Comme je ne me suis pas proposé de donner le tableau de La Colonie, mais seulement du cours du fleuve, je ne parlerai point ici de plusieurs postes situés a 40 ou 50 Lieues de ses bords.[1]

Le premier poste que l'on trouve à quinze lieues au dessous du confluent de l'ohio et du mississipi, et devant lequel il faut se présenter, se nomme *Anse à la graisse.*[2] Il est construit en Bois sur un terrain bas et inondé, garni d'une dixaine de petits canons, et commandé par un Espagnol qui a sous lui dixhuit à 20 hommes. Je crois qu'il est facile de l'enlever sans rétarder l'expédition de quatre heures. L'artillerie en est bonne et les magazins assez bien fournis. Si l'on jugeait le moindre retard dangereux, on depasserait ce fort pendant la nuit sans craindre la moindre chose, et l'on se hâterait d'arriver au *Nogal*[3] qui est un nouveau fort construit sur une hauteur à deux cent trente lieues de l'anse à la graisse. quelle que soit la position avantageuse de ce fort, à la construction duquel l'Espagne a beaucoup dépensé, il ne m'a pas paru mériter toute l'importance que l'on veut lui donner. 1°. parcequ'il ne peut avoir de communication avec le premier fort, que par le fleuve et qu'il serait très facile de la couper des lors que l'on voudrait faire route nuit et jour. 2°. Parcequ'il est certain que l'on peut se laisser couler tout doucement devant le fort pendant l'obscurité. Cependant il est garni d'une nombreuse artillerie et peut avoir trente à 40 hommes de garnison.

À trente Lieues au dessous du *Nogal,* on voit Le Poste du Natchez dont tous les habitans sont Américains. Leur nombre s'élevait il y a quatre ans à cinq mille ; mais depuis que la Cour de Madrid a refusé de prendre leur tabac, et qu'elle leur a envoyé un gouverneur, Le nombre est au

[1] Compare *Report of Historical MSS. Commission* for 1896, the Clark-Genet documents, Nos. 2, 2b, 4; *American Historical Review*, April, 1897, II. 475 (Carondelet's description of these posts); Collot, *Journey in North America* (1796), with atlas.

[2] New Madrid.

[3] Vicksburg.

moins réduit à moitié. Les uns se sont jettés dans de nouveaux établisemens, Les autres réduits à la misère ont regagné les Etats unis, et ceux qui restent soupirent bien ardemment après des Libérateurs

Le fort qui fut autrefois construit par les français, est si délabré qu'il ne tiendrait pas contre deux pieces de bas calibre. La Garnison est ordinairement composé de 50 hommes. j'observe ici que depuis l'anse à la Graisse jusqu'au Natchez, il n'y a aucun habitant.

Le dernier fort que l'on trouve avant d'arriver à la Nouvelle Orléans est Baton-rouge. outre qu'il est peu considérable, on peut le dépasser comme les autres en serrant la terre près du fort. il n'y a pas au dela de 12 hommes. Entre le Natchez et baton rouge est un vaste espace de terrein inhabité qui servirait admirablement à couper toute communication avec la ville. Six hommes suffirait à cela.

Si l'on jugeait nécessaire d'enlever Les forts, j'indiquerais les moyens qui me semblent Les plus propres.

Depuis la *Pointe coupée*, ou le fort de *Baton rouge*, Les deux rives du fleuve sont continuellement couvertes de riches habitations qui s'étendent à 20 lieues au dessous de La Nouvelle Orleans, pendant une espace de quatre vingt lieues. Cette vaste étendue de terrein n'est à proprement parler qu'une langue de terre formée par le fleuve. a 40 arpens de profondeur on trouve des deux cotés, une chaine de marais et de lacs qui rendent toute approche impossible.

La Nouvelle Orléans[1] cette ville que sa position semble destiner à devenir un jour Le plus riche entrepot du monde, n'est pas si éloignée de cet état de splendeur que l'on pense. Les Américains frequentent deja son port depuis plusieurs années, ou ils amènent des milliers de Boucauds de tabac et d'autres denrées. Elle est bâtie en quarré long sur le bord du fleuve qui l'inonderait pendant les crues, s'il n'était retenue par une forte Levée. Si l'on en excepte une palissade dont vient de l'environner le nouveau Gouverneur, il est certain qu'elle est denuée de toute fortification, et qu'elle ne tiendroit pas vingt minutes contre un coup de main. La Garnison qui n'a jamais excédé trois cents hommes est principalement composée de francais qui se flattent depuis long tems que le moment de leur délivrance n'est pas loin. Elle est logée dans un Quarter bâti par les français vis a vis du quel est une rangée de canons, mal en ordre, mais presque tous de fort calibre. Au reste tous les bords du fleuve Sont ouverts, et par conséquent favorables à un debarquement.

Je me contenterai donc pour démontrer la nullité des forts en descendant le Mississipi, de dire qu'il est impossible de faire passer des *avisos* d'un fort à l'autre, et qu'un coureur de Bois ne peut jamais faire par terre Le chemin que fait une berge bien montée en rameurs qui marcheraient jour et nuit.

après avoir donné superficiellement la description des bords du fleuve et des forts que l'on y voit, je vais dire quelque chose des moyens conductifs à cette expédition. Je pense qu'il serait convenable de trans-

[1] See the plan of New Orleans in 1798, in *Report of Tenth Census, Social Statistics of Cities . . . New Orleans*, p. 28.

porter sept à huit cents hommes dans un port de mer de l'Amérique septentrionale qui se rendraient par pelotons Sur l'ohio, comme si leur but étaient d'aller s'y fixer en qualité d'agriculteurs. Ces hommes seraient dévancés par des personnes Sûres qui se rendraient au *fort Pitt* et au Kentucky pour y préparer les embarcations, et y former une association de volontaires. une fois que tout serait prêt, l'on se mettrait en marche. il faudrait surtout commencer l'expedition en Octobre, tems où les Américains ne descendent plus

Aux Berges il faudrait joindre quelques canots légers pour donner chasse aux pirogues, et intercepter tout canot de descente. après avoir dépassé les forts, chose que je juge aisée, pour peu que l'expédition soit bien conduite, il est question de se présenter devant la Nouvelle Orléans pendant la nuit. Le debarquement fait, le gros de la troupe se porterait incontinent au quartier pour s'emparer des Batteries et amener la garnison a recevoir une vive fusillade, un autre peloton se porterait en même tems chez le gouverneur et le Colonel qu'il tiendrait prisonniers jusqu'a ce que tout fut soumis.

Quelque facile que paraisse cette expédition, il est nécessaire d'y apporter toutes les précautions imaginables. il serait donc à propos d'y faire passer deux personnes affidées qui auraient soin d'examiner la situation du lieu, L'état de la garnison, et même de prévenir et de sonder l'esprit des soldats français. Ces deux émissaires qui connaitraient à peu près le tems de l'expédition se rendraient chèz un habitant sur la route, et instruiraient l'armement des moyens de réussite. Dans le cas que par quelques coureurs de Bois le gouvernement serait instruit de quelque chose, on pourrait débarquer sur la rive opposée et forcer en très peu de tems la ville à se rendre. je ne doute aucunement d'après les connaissances que j'ai de la Colonie, que les habitans se joindraient avec ardeur à leurs freres de france.

Enlever cette colonie aux espagnols, c'est leur porter un coup d'autant plus terrible qu'ils auront dès lors à craindre pour leurs possessions du Mexique, et que l'on peut faire sortir des corsaires qui iront faire des prises jusque sous le canon de la *Vera cruz*

De la conquete de cette colonie nait cette Question : quel parti doit on tirer de la Louisiane ? je crois qu'il faudrait l'inviter à se réunir à la grande République Américaine en se reservant certains avantages, et en l'assurant d'une protection signalée. Par là la france s'épargnerait bien des dépenses sans rien perdre de Son commerce. L'on sait que les Louisianais sont accoutumés à nos productions et même à nos manufactures, et qu'il leur est impossible de s'en passer. je sens bien que pendant le cours de la guerre les Américains leur porteraient nos denrées de france, et qu'ils nos rapporteraient de l'indigo et du Riz en payement ; mais à la paix nous serions à même d'y faire le commerce par nous même. je dis plus les Américains établis sur la Belle riviere deviendraient aussi consommateurs des importations faites au Mississipi.

j'avais oublié de dire que de la N.le Orleans à l'embouchure du Mississipi, on comptait environ 30 Lieues et que l'entrée du fleuve est defendue

moins par un triste fort, que par des barres qui varient tres frequemment. Dans la Supposition que l'on préférait attaquer par mer je donnerais également Les renseignemens que j'ai pu acquerir par de frequens voyages soit à la floride soit à Pensacole.

Dan le cas encore que la nation ne voudrait pas faire passer du monde de france pour cette expédition ; elle devrait au moins faire passer au Kentucky quelques personnes hardies et entreprenantes qui réussiraient peut etre à decider Les Américains et les francais qui y sont établis à faire la descente Et à ouvrir l'entrée du Mississipi à un petit armement qui partirait de france pour croiser dans les parages.

Telles sont les observations que Six ans de séjour, et de voyage dans tous les postes de La Louisiane ont fourni à un Citoyen qui n'a jamais rien eu de plus à cœur que de servir sa Patrie, et qui brule de lui consacrer et ses services et ses jours.

PIERRE LYONNET.

IV. LYONNET'S ADDITIONAL CONSIDERATIONS.[1]

(Archives des Affaires Étrangères, Espagne, Vol. 635, document 317.)

J'ai l'honneur de soumettre à votre examen les observations que je crois les plus conductives à accélérer le projet qui vous occupe dans ce moment. Vos Lumières sauront aisément distinguer ce qui sera practicable d'avec ce qui ne saurait l'être, et je ne doute nullement qu'au travers de ce que je vais dire vous ne découvriéz quelques rayons de clarté.

Comme vos réflections m'ont appris qu'il serait dangereux, et même impolitique de débarquer une quantité de monde sur le territoire d'une Puissance neutre, et qu'il serait d'ailleurs très difficile de réunir plusieurs avanturiers discrets et prudens pour être transportés au delà des mers, je vais uniquement m'attacher à indiquer la conduite des personnes que l'on jugerait convenable d'employer.

Et dabord je pense qu'il serait superflus de faire passer beaucoup de monde en Amérique, puisque l'armement doit se faire Sur l' Ohio Il suffirait donc d'y envoyer six personnes sûres et toutes six capables de jouer six rôles différens. Arrivée à Philadelphie, elles se concerteraient avec notre ambassadeur et les personnes que l'ambassadeur jugerait convenable d'employer, Sur les moyens les plus prompts et les moins dispendieux. D'après un plan formé avec maturité et réflection ces six personnes, et celles que le ministre aurait jugé dignes de leur être adjointes, se rendraient dabord au *fort Pitt* , et delà au Kentucky. Pendant leur séjour à Philadelphie, il serait prudent de paraitre dans l'intention d'acheter des Terres pour s'établir dans les Pays à l'ouest, par là sans donner le moindre ombrage, on pourrait faire tous les achats jugés nécessaires.

Il serait surtout important d'emporter de france une quantité de brevets pour différens grades, tous en blanc, mais d'ailleurs Signé et en règle. à ces brevets il faudrait joindre un manifeste pour les Louisianais qui se distribuerait à mesure que l'on descendrait le fleuve.

[1] Endorsed : "Vers Mars 1793."

La démarche la plus essentielle sera d' étudier et de choisir les personnes que l'on doit initier dans le secret Sur les bords de l'Ohio. Le Citoyen Tardiveau frere[1] du défunt cy devant commandant aux Kaskaskias, peut être d'un grand secours pour connaitre les hommes utiles.

Comme Le succès depend en partie du secret, et de ne rien laisser dans le principe à deviner aux Curieux ; les personnes ou chefs qui seraient initiés, et par conséquent brevetés et chargés de trouver des volontaires, les rassembleraient sous le pretexte de faire des courses contre les Sauvages. On trouve au Kentucky, et dans les autres etablissemens cinquante chefs tous connus par des actions d'éclat, Soit dans la derniere guerre, soit contre les Sauvages. Il y en a certains si habiles à manier l'esprit des habitans, que dès qu'ils parlent d'une Sortie contre les indiens, la jeunesse se précipite de tous cotés sous leurs drapeaux. à la tête de ces flibustiers des Bois, il faut placer le General[2] qui dans la derniere guerre, enleva entre autres postes, celui de vincennes. Son nom Seul vaut beaucoup de monde, et il n'est pas un Américain qui n'ait la plus grande confiance en lui. Il y a encore à Philadelphie un nommé *Willing*[3] connu également par plusieurs coups hardis tous faits sur le mississipi contre les Anglais.

Les volontaires des pays à l'ouest prévenus par leurs chefs ne seraient longtems sans être prêts ; mais leur ardeur redoublerait considérablement quand on leur annoncerait qu'il s'agit de s'emparer d'un pays soumis à une puissance qui s'oppose aux succès et à la prosperité du leur. alors il n'y aurait qu'un seul cri pour le départ. on ne manquerait pas de leur faire valoir la liberté de leur commerce assurée pour jamais, la grandeur du Butin, la faiblesse de la défense, et les avantages de rivaliser Les bords atlantiques dans l'aprovisionnement des Antilles.

à tous ces avantages il faudrait joindre pour les Américains la libre navigation du mississipi, et même l'espérance de voir la louisiane faire partie de leur République.

Dès que l'on se serait abouché avec les chefs Américains et que l'on verrait la possibilité de la réussite, il serait question de se procurer les embarcations que l'on jugerait les plus necessaires, et les plus convenables à l'opération. il faudrait qu'elles fussent de bonne marche, et Susceptibles de recevoir le Double au moins de monde de ce qui serait employer à ramer afin que les rameurs pussent se relever de six heures en six heures et ainsi marcher jour et nuit. il est surtout important d'avoir d'excellens guides. s'ils étaient rares chez les Américains, on en trouverait abondamment au poste Vincennes et aux Ilinois.

Cependant pour éviter les soupçons que pourraient donner l'équipement des Berges, ou batteaux, il serait à propos de faire avec les chefs de l'entreprise, ou toute autre personne, un grand nombre d'achats simulés

[1] Compare *Report of Historical Manuscripts Commission*, 1896, Clark-Genet correspondence, documents 1, 30, 69.

[2] Evidently George Rogers Clark.

[3] See Winsor, *Westward Movement*, index.

de Tabacs et autres denrées de façon qu'il paraitrait que les Batteaux seraient destinés à les recevoir.

Les provisions de bouche se trouvant à bon compte, il serait facile de se procurer tout ce qui serait necessaire. Pour dire quelque chose de certain sur les munitions de guerre, il faudrait être à Philadelphie, et avoir des renseignemens tres frais Sur le Kentucky. il faudroit savoir si la Poudre que l'on y fabrique est de bonne qualité, et si l'on y trouverait du canon à acheter ainsi que des Pierriers.

Si l'on etait sûr d'arriver Sur la N^le^ Orleans, sans que la nouvelle de la descente y eut dévancé l'armement, il n'y aurait aucune nécessité d'avoir du Canon. Dans le cas contraire, il en faudrait. mais l'on pourrait s'emparer de ceux du fort de *l'anse à la graisse*, s'il n'était pas possible de s'en procurer convenablement. on pourrait encore détacher cent hommes qui en trouveraient aux Ilinois sur la partie espagnole.

Cependant j'aimerais beaucoup mieux n'être rétardé aucunement depuis le moment du départ, jusqu'à l'arrivée

Comme l'on ne se sert presque pas de fusils de munition, et que les fusils à deux coups sont préférables pour ces sortes de campagne, je conseillerais d'en embarquer quelques centaines que l'on ferait aisement rendre au Kentucky comme objets de commerce. Ces fusils serviraient à armer, non pas les Américains qui ont tous d'excellentes carbines, mais des français et des Canadiens que l'on recruterait avec facilité

J'oubliais de dire qu'il ne faudrait pas manquer d'emporter un certain nombre de lettres de marque pour corsaires, car dès l'instant que l'on serait maitre du port de la N^le^ Orleans, on pourrait faire sortir plusieurs bâtimens armés en course, qui s'enrichiraient bien vîte par de nombreuses prises faites sur les côtes de la *Vera Cruz* et sur celles de Campêche

Du nombre des six personnes qui partiraient de france, il serait urgent d'en faire descendre une, avant même que l'expédition fût à moitié formée. La personne suivant moi, la plus propre à cette manoeuvre serait incontestablement un de mes amis actuellement à Paris, et nouvellement parti du Mississipi. Quoiqu'elle soit au dessus d'une fortune ordinaire, et qu'elle ait femme, elle se consacrerait avec joye au service de sa patrie. Son occupation après son arrivée, serait d'étudier à fond la colonie, et de s'aboucher avec plusieurs habitans de la basse Louisiane, mais principalement de sonder, ou faire sonder la partie de la garnison francaise. il lui serait d'autant plus aisé de jouer son rôle qu'il a dans ce moment un Passeport espagnol, et qu'il pourrait faire passer chez certains habitans toutes les découvertes qu'il aurait faites, découvertes qui seraient très utiles à l'armement dans sa descente.

Il me serait impossible d'établir un juste apperçu des dépenses qu'ex igerait cette expédition ; elles ne seraient cependant pas exhorbitantes puisqu'il ne serait pas necessaire d'habiller le monde, et qu'il n'y aurait pas beaucoup d'armes a acheter. L'on serait obligé, par exemple, de dépenser beaucoup en boissons ; car les Américains ne parlent guerre d'affaire que vis a vis d'uue Bowle.

Ce qui doit surtout contribuer à la reussite de l'entreprise, c'est la

plus grande diligence. ainsi donc si Le Conseil la juge salutaire et avantageuse, il ne saurait l'accélérer trop tot. Ce n'est pas non plus la dépense qui doit retenir, puisque la nation y bénéficiera au moins de cent pour un, et que cette Colonie rentrant sous les loix de sa première mere, forcera peut être l'espagne à des armemens nombreux pour garder Le mexique. D'ailleurs Les Louisianais ne sont ni anglais ni Espagnols, ils sont français et mille fois plus attachés à la france qu'on ne saurait exprimer.

Voilà à peu près mes observations auxquelles Les circonstances doivent donner ou plus de force ou du changement. Si je n'ai pas la vanité de croire qu'elles doivent être la Boussole de l'opération, j'ai du moins celle de croire qu'il n'y a personne qui se portera avec plus d'ardeur à servir sa patrie que moi

P^r^ Lyonnet.

V. BRISSOT TO CITIZEN ————.

(Archives des Affaires Étrangères, Espagne, Vol. 635, doct. 295.)
Citoyen[1]

Je vous adresse Le Capitaine Imlay Americain de L'etat de Kentucky, qui m'a été recomandé par L'estimable Cooper de Manchester, il desiroit s'entretenir avec moi de L'expedition du Mississipi, Il me paroit très propre à vous donner Les renseignemens sur Le maniere de mettre ce plan à execution. Lorsque vous L'aurez entretenu, nous fixerons un jour avec Le Ministre pour avoir une Conference generele sur cet objet. Croyez moi tout à vous

J. P. Brissot[2]

le 26 Mars 1793.

VI. LYONNET TO MINISTER [LEBRUN].[3]

(Archives des Affaires Étrangères, Espagne, Vol. 636, folio 37.)

Citoyen Ministre

Le Citoyen Lyonnet a l'honneur de vous exposer que le Citoyen Otto est en possession des renseignemens les plus certains sur l'état actuel

[1] Endorsed : "26 Mars 1793."

[2] In his report on the Girondin deputies, July 9, 1793, Saint Just declared : "L'attention de Brissot s'étendit dans l'autre hémisphère. Brissot dominait le conseil" (Stephens, *Orators of the French Revolution*, II. 487, 232, note), He was influential in securing the appointment of Lebrun to the foreign office and Genet to the United States (Dewitt, *Jefferson*, Paris, 1861, p. 224). He was interested in the commercial possibilities of the Mississippi Valley, and reported the feeling of the West against Spain. See J. P. Brissot de Warville, *Nouveau Voyage dans les États-Unis de l'Amérique Septentrionale, fait en 1788*, Paris, 1791. A translation was published in London, 1792 and 1794. He was designated by the Comité de Défense Générale, on January 25, 1793, to present a report on the possibility of an expedition against the Spanish dependencies (*dans les établissements espagnols*) ; Aulard, *Recueil des Actes du Comité de Salut Public*, II. 10; III. 82.

[3] Endorsed : "Reçue le 4 avril 1793."

de la Louisiane, les moyens de la soustraire au joug espagnol, et la certitude de la réussite ; Et que le Citoyen Brissot est également au cours de tous ces renseignemens. Ils vous auraient déjà présenté et leur plan d'opération, et les trois personnes qu'ils ont jugé nécessaire de faire passer d'Europe en Amérique pour cette grande entreprise, si la multiplicité de vos occupations ne vous eût empéché de vous occuper de ce projet, et d'y apposer votre sanction.

Cependant les personnes proposées restent dans l'incertitude si cette affaire aura lieu ou non, et n'osent se livrer à aucun genre de vie sans connaitre les intentions du Citoyen Ministre. Il est même à craindre que par un trop grand délai ; l'on n'arrive à l'arriere saison sans avoir fait les préparatifs nécessaires. Cette entreprise n'est pas de celles qui demandent beaucoup d'hommes et beaucoup d'argent. avec quelques moyens pécuniaires, il est certain qu'elle réussira, et que la france sans exposer une seule tête, portera un coup desastreux à l'Espagne.

Daignez, Citoyen Ministre, dérober à vos occupations, un instant pour sanctionner un projet également glorieux et utile à la france, et croire que la reconnaissance des Louisianais pour le premier Patron de leur liberté sera aussi durable, que votre nom qu'ils se plairont de transmettre à la posterité la plus reculée

P^e^ Lyonnet.

VII. LYONNET TO OTTO.

(Archives des Affaires Étrangères, Espagne, Vol. 636, folio 101.)

Lyon Le 21 avril 1793

Citoyen

J'ai l'honneur de vous écrire de Lyon au Sujet de l'affaire à laquelle je devais être employé. Dans le cas qu'elle n'aurait aucune réussite, et comme il est tres important que je sache à quoi m'en tenir, je vous prie de vouloir bien m'instruire des évènemens.

Comme Le Ministre doit avoir à sa disposition plusieurs places que je pourais être à même de remplir, je prens encore la Liberté de vous recommander mes intérets. votre affabilité, et les hoñetes, Sans nombre dont vous m'avez comblé, ne me permettent pas de douter de vos intentions bienfaisantes à mon égard

P^e^ Lyonnet

[Addressed]
Au Citoyen Otto.
Hôtel du Ministre des
Affaires étrangères
Paris

VIII. LYONNET TO OTTO.

(Archives des Affaires Étrangères, Espagne, Vol. 636, folio 205.)

Lyon le 22 May 1793

Citoyen Otto.

Citoyen

J'eus l'honneur de vous ecrire quelques jours après mon arrivée à Lyon ; mais soit que ma lettre ne vous soit pas parvenue, ou que vos occupations ne vous aient pas laissé le loisir de me faire réponse, je Suis encore a savoir sur quel pied se trouve L'opération d'outremer. Je souhaiterais néanmoins bien ardemment savoir à quoi m'en tenir. voilà plus de deux mois que je n'ose me livrer à aucun genre d'industrie, et vous savez quelles sont les dépenses d'aujourd'hui.

Daignez, Citoyen, par une lettre me tirer de cet état de perplexité, et vous m'obligerez infiniment. j'ai reçu une lettre du Capitaine Imlay qui ne m'apprend aucun changement, mais qui ne désespère pas de la reussite.

Il n'y a rien de nouveau dans cette grande ville, ni dans les departemens Limitrophes.

Votre trés affectionné concitoyen

LYONNET

IX. VIEW OF GENET'S CONDUCT.

(Archives des Affaires Étrangères, États-Unis, Vol. 39, folio 144.)

Exposé succinct[1] de la conduite du Citoyen Genet dans les Etats unis de l'Amérique.

Par les Instructions qui ont été données au Citoyen Genet Ministre plénipotentiaire de la République prés des Etats-unis, il lui est particulièrement recommandé,

1.° de maintenir et de consolider la bonne intelligence qui subsiste entre les deux Nations ;

3.° de négocier un *nouveau Traité de Commerce sur des Bases mutuellement avantageuses* ;

3.° d'engager, s'il est possible, le Gouvernement Américain à *Faire cause commune avec nous* ; du moins à nous Fournir des approvisionnemens jusqu'à la concurrence du montant de la Dette Américaine ;

4.° d'exciter secretement les habitans de l'intérieur de l'Amérique à descendre le Mississipi, et à donner *l'indépendance aux Louisianais* ;

5.° enfin d'entretenir quelques liaisons avec les Canadiens pour les engager à secouer le joug de la Grande Bretagne.

Les vents n'ayant pas permis au Citoyen Genet de prendre directement la route de Philadelphie, il débarqua à Charleston, dans la Caroline du Sud. Il y Fût reçu avec le plus vif empressement et les acclamations plus Flatteuses. Un Ministre de France décoré du beau titre de Républicain, et joignant un extérieur agréable à de *grands talens populaires*, ne pouvait l'être autrement.

Mais ce brillant accueil parait dès le commencement avoir ébloui le

[1] Endorsed : "sans date, vers Octobre, 1793."

Citoyen Genet. se livrant sans réserve au zèle ardent qui l'anime, il interpréta trop Favorablement les témoignages d'attachement dont on le comblait à l'envi. Eloigné de deux cent lieues du siége du Gouvernement, n'etant pas encore reconnu comme Agent public, et ayant sous les yeux la proclamation de Neutralité du Président des Etats-Unis, il Fit *armer de son autorité privée quatre Corsaires* pour tomber sur tous les Batimens Anglais qui se trouvaient dans les ports voisins, ou dans celui de Charleston. Il distribua pour cet effet les Lettres de marque qui lui avaient été remises en blanc par le Ministre de la Marine, mais dont suivant l'esprit de ses Instructions, il *n'aurait dû se servir qu'après avoir obtenu l'assentiment du Gouvernement Américain.* Ces Corsaires Firent bientôt des prises, et repandirent la consternation dans tous les ports.

Sur toute la route, depuis Charleston jusqu'à Philadelphie, le Citoyen Genet Fut traité avec la même distinction. Les Fêtes, les adresses marquaient par tout l'epoque de son arrivée. *Ses manieres insinuantes*, SON ELOQUENCE, lui attiraient les applaudissemens de tous les amis de la France. Un cortège nombreux de Citoyens de Philadelphie vint le recevoir a 4 milles de la ville, et le conduisit en triomphe à son logement. Les adresses patriotiques, les réponses brûlantes se succéderent rapidement ; et un Spectateur peu instruit, aurait cru que Genet *allait gouverner*, et non négocier avec les Chefs des Etats Unis.

Washington le reçut avec cette *gravité* que donne l'habitude de diriger les affaires d'un peuple libre. Le sang froid de Jefferson et des autres officiers du Gouvernement, également circonspects et surveillés de prés par les Ministres des puissances coalisées, contrasta etrangement avec les effusions de joye sincères d'une portion du peuple Américain. Etonné de cette conduite, Le Citoyen Genet l'attribue à l'aristocratie du Gouvernement qu'il accuse entre autres d'avoir reçu une lettre de recommandation du pretendu Regent de France, en Faveur de Noailles.

pour expliquer la conduite de Washington et la méprise de Genet, il convient de Faire connaître la situation actuelle des partis dans les Etats unis.

Le Congres qui pendant la Révolution, avait été le centre des opérations les plus importantes, tomba dans *le mépris* tout de suite après la paix. Insensiblement chaque Etat se remit en pleine jouissance de sa Souveraineté, La Confédération n'existait plus, et l'on était à la veille d'une guerre civile.

En 1788, on adopte une nouvelle Forme de Gouvernement composé d'un président, d'un Sénat, et d'une Chambre de Représentans. Ceux qui soutenaient cette nouvelle Forme de Gouvernement, Furent appellés Fédéralistes, et leurs adversaires antifédéralistes. Les anciens Torys et les Quakers joignirent les Fédéralistes, et leur donnerent une grande majorité. Les *Antifédéralistes se soumirent insensiblement.*

L'arrivée du Citoyen Genet *parait avoir réveillé le zèle de ces derniers.* Ce Ministre voyageant précisement à travers les Etats où ce parti est tres nombreux, se fit illusion sur le caractère véritable du Gouvernement Américain : il crut voir un germe de Révolution où il n'y avait réelle-

ment que quelque mecontentement, et beaucoup de jalousie. Il se considérait comme soutenu par le peuple contre le Gouvernement même. C'est dans cet esprit qu'est conçue sa derniere dépêche, N° 4.

D'après cette Dépêche, les armemens continuaient. Sept Corsaires étaient déja en mer ; et pour achever de *violer la neutralité des Etats unis, Genet préparait* à Philadelphie une expédition *par mer contre la Nouvelle-Orleans.*

L'egarement de ce Ministre est d'autant plus étonnant qu'il aurait dû savoir que le Gouvernement Seul, et non une portion du peuple qui le Flagornait, pouvait lui procurer les avantages qu'il etait chargé de solliciter ; que les Chefs du Gouvernement ayant été unanimement élus par le peuple, *au mois de Novembre dernier,* devaient jouir de la confiance entiere de la majorité de la Nation ; et qu'en S'avisant de lutter contre *ce Gouvernement,* il attaqua la Nation elle-même.

Il résulte de ces observations que, par un zèle trop ardent, le Citoyen Genet a mis le Gouvernement Américain dans la necessité de traiter avec Froideur le Représentant de la République Française ; *de désavouer en Angleterre les mesures hardies prises par ce Ministre ; et de neutraliser tellement le territoire des Etats Unis,* qu'il est à craindre que nous ne puissions plus tirer autant de Subsistances qu'autrefois de ce pays là.

Les amis du Citoyen Genet ont Fait publier dans les gazettes de Philadelphie que ce Ministre n'a agi que d'après les *Instructions du Conseil Exécutif de France.* Il importe à la République de désavouer Formellement cette assertion, et de déclarer au Gouvernement des Etats-unis que Son Ministre, entraîné par un zèle indiscret, a outrepassé les pouvoirs qui lui ont été donnés.

Il est vraisemblable que des mal intentionnés, mieux instruits que le Citoyen Genet de l'esprit véritable du peuple Américain, *l'ont entouré à dessein d'une fausse popularité pour le rendre désagréable au Gouvernement.* Ce Ministre a été trop ardent, mal conseillé, et ébloui par l'accueil qui lui a été Fait : mais il parait que ses intentions sont très patriotiques ; L'engouement même du parti dans *lequel il s'est jetté, peut être utile à la chose publique.* Ce parti est celui des *Républicains les plus chauds,* de ceux qui sont réellement dévoués à la France, et prêts à tout sacrifier pour elle. Il parait d'après cela, *qu'il serait impolitique de rappeller le Citoyen Genet ; mais il est instant de contenir son caractère impétueux, de lui prescrire la conduite la plus mésurée* envers le Gouvernement, *et de le mettre sur la voye de gagner sa confiance.*[1]

[1] The fall of Genet may have been related to that of the Girondins in general. On October 11, 1793, the Committee of Public Safety ordered four commissioners to replace Genet. Brissot, to whom, with Lebrun, Robespierre attributed the appointment of Genet, was guillotined, October 31, 1793. The instructions for the new commission to America were approved by the Committee of Public Safety, November 15, 1793, and two days later Robespierre reported to the National Convention as follows :

"Par une fatalité bizarre, la République se trouve encore représentée auprès d'eux par les agents des traîtres qu'elle a punis. Le beau-frère du Brissot est le consul général de la France près les Etats-Unis. Un autre homme, nommé Genest, envoyé par Lebrun et par Brissot à Philadelphie en qualité d'agent plénipotentiaire, a rempli fidèlement les

X. BARLOW AND LEAVENWORTH, PLAN FOR TAKING LOUISIANA.[1]

(Archives des Affaires Étrangères, Espagne, Vol. 636, folio 391.)

Plan pour prendre la Louissane, sans couter rien à la nation.

La colonie de la Louissiane, bornée au midi par le Golphe de Mexique, a l'orient par le fleuve Mississippi, s'étend sur un excellent et vaste territoire parfaitement situé pour aprovisioner nos iles de tonte éspéce de vivres et de bois. Cette Colonie fut établie par les françois. Les habitans, quoique peu nombreux, étoient heureux par la perspective d'un grand succès lorsqu'un de nos derniers tyrans les vendit au despote d'Espagne, reduissant ainsi un peuple paisible et laborieux à un cruel ésclavage.

Rendre ce people à la liberté en lui donnant la consistance politique d'une colonie francoise, seroit non seulement une action d'humanité, mais cette operation procureroit d'immenses avantages a la nation entiere ; tandis qu'elle donneroit un grand exemple a ses voisins dans le Mexique et la Floride, exemple qui banneroit bientot le despotisme espagnole de toute l'Amerique meridionale.

les avantages immediats pour la France seroient

1° la facilité d'aprovisioner ses iles de toute éspéce de vivres et de bois de construction. Cette resource est singulierement necessaire dans ce moment, après les horribles devastations qui sont arrivées dans ces iles, et surtout pendant que la navigation de l'ocean atlantique est devenue tres hazardeuse par l'effet de la guerre.

2. Quand la france aura besoin de bled et de farine, la navigation du Mississippi offre le moyen de se les procurer à beaucoup meilleur marché que dans les Etats unis. Les etablissemens florissans sur l'Ohio et le Missisippi en ont fertilisé les bords. les recoltes y sont abondantes ; et la nouvelle Orleans, ville principale de la Louissiane, sera un immense entrepôt, d'où la navigation à l'Europe est aussi facile que d'aucun port de l'Amerique

3° Les bois de construction se trouvent en abondance dans la Louissiane,

vues et les instructions de la faction qui l'a choisi. Il a employé les moyens les plus extraordinaires pour irriter le gouvernement américain contre nous ; il a affecté de lui parler, sans aucun prétexte, avec le ton de la menace, et de lui faire des propositions également contraires aux intérêts des deux nations ; il s'est efforcé de rendre nos principes suspects ou redoutables, en les outrant par des applications ridicules. Par un contraste bien remarquable, tandis qu'à Paris ceux qui l'avaient envoyé persécutaient la société populaire, denoncaient comme des anarchistes les républicains luttant avec courage contre la tyrannie, Genest, à Philadelphie, se faisait chef de club, ne cessait de faire et de provoquer des motions aussi injurieuses qu'inquiétantes pour le gouvernement. C'est ainsi que la même faction qui en France voulait réduire tous les pauvres à la condition d'ilotes et soumettre le peuple à l'aristocratie des riches, voulait en un instant affranchir et armer tous les nègres pour détruire nos colonies."

See Archives des Affaires Étrangères, États-Unis, Vol. 39, folios 159, 255 ; and De Witt, *Thomas Jefferson* (Paris, 1861) 224, 557–559 ; Buchez et Roux, *Histoire Parlementaire*, XXX. 232, 233 ; and Stephens, *Orators of the French Revolution*, II. 487, 568.

[1] Endorsed : "3 frimaire 2e An. R. 17 fm 2e An. Espagne" [November 23, December 7, 1793].

sur tout l'éspèce nommée le *chêne vif* qui est plus durable et plus recherché qu'aucun bois d'Europe pour la construction de vaisseaux. Les autres objets necessaires à la marine, tels que le goudron, la poix, le chanvre, forment une branche considerable d'exportation du Mississippi et de l'Ohio. La colonie seule de la Louissiane est en etat de fournir dans ce genre plus qu'il ne faut pour toutes les marines de l'Europe. un autre objet, plutot de luxe que de necessité, mais qui est tres considerable dans le commerce c'est le *tabac*. Il est bien connu que les terres de l'Ohio, du Mississippi, et surtout celle de la Louissiane, sont meilleures qu'aucunes autres en Amerique pour cette denrée. Les terres de Virginie et autres anciennes provinces commencent à s'épuiser trop pour cette culture ; et la nouvelle Orleans doit être naturellement le magazin, d'où le tabac peut se distribuer à toute l'Europe.

4° Cette ville sera en même tems le plus grand entrepôt de l'univers pour les marchandises venant des manufactures de France. Si elles n'y sont pas frappées de droits d'entrée, les negotians de l'Ohio les prendront pour toutes les contrées occidentales des Etats unis.

5° À la fin de la guerre actuelle en france, la foule immense de nos militaires rentrera dans leurs foyers ; et quoique nos armées soient generalement composées de bons citoyens, l'effet naturel d'une vie militaire est de rendre les hommes oisifs ou inquiets. la République voudra sans doute recompenser ses soldats par d'autres gratifications que leurs salaires journaliers. Ne seroit il pas très avantageux de pouvoir leur ouvrir une contrée favorisée de la nature ? là ils trouveroient une occupation douce en cultivant un sol qui sera leur proprieté, et en montrant un exemple de liberté à leurs voisins les espagnols. une telle operation seroit également avantageuse à la mere patrie et à ces braves guerriers qui sont les objets de sa tentre sollicitude

La force espagnole à la nouvelle Orleans, au Nouveau Madrid, et autre postes de la Louissiane, n'est, dans ce moment, que peu considerable ; mais il est possible que bientot elle soit augmentée ; parceque ce gouvernement, jaloux et despotic, voudra s'assurer les avantages d'une colonie si attrayante. il ne peut ignorer d'ailleurs que les habitans (qui sont presque tous françois) voudroient secouer le joug espagnol, qu'ils soupirent pour la liberté, et que leurs cœurs reclament l'identité politique avec leur mere patrie. Il est donc urgent de frapper rapidement et sécrétement le coup qui renversera le despotisme espagnol dans la Louissiane, et de prendre possession de la Colonie au nom de la Republique françoise.

Pour cet effet, nous soussignés proposons au Comité de Salut Public, les articles suivans

1° Nous recevrons des commissions suffisanes pour organiser une force armée de deux mille hommes. Dans les commissions l'objet de l'expedition sera expliqué, mais les noms des officiers seront laissés en blanc pour y etre inserrés par nous en Amerique.

2°—à nos frais nous equipperons, armerons, payerons et conduirons cette force, avec laquelle nous prendrons possession, au nom de la République françoise de la colonie de la Louissiane, et nous la lui conserverons en attendant les ordres ulterieurs du gouvernement.

3.° Les propriétés de tous les individus, habitans de la dite colonie (les officiers du gouvernement espagnol seuls exceptés) seront sacrées dans les mains des proprietairs actuels, et leurs personnes protegées.
4°—Toutes les propriétés appernantes [appartenantes] au Gouvernement espagnol, tant en terres qu'en meubles, seront à nous, pour etre distribuées aux entreprenneurs et aux troupes, suivant la convention qui sera faite entre eux avant l'expedition.
5°—le gouvernement interieur de la colonie sera établi sur les principes républicains de la constitution francoise. ses reglemens exterieurs pour le commerce seront conformes à ceux des autres colonies françoises. Mais il est convenu, que ni la France ni la colonie ne pourront mettre obstacle a la libre navigation du Mississippi, ni des autres fleuves qui tombent dans le golphe de Mexique
6°—Si contre tout attente, il arrivoit qu'a la paix qui terminera la guerre actuelle, la france cèdât à l'Espagne, ou à toute autre puissance, la colonie de la Louissiane, alors les entreprenneurs et leurs associés seroient remboursés par le gouvernement françois pour les depenses de cette entreprise

Joel Barlow
M Leavenworth.

ce 3 Frimaire
l'an 2 de la République

Paris, Maison de Bretagne—
Rue Jacob—

Forme de la Commission

Liberté *Egalité*

Au nom de la République françoise

Le conseil exécutif provisoire, en consequence des déliberations prises par le comité de salut Public de la Convention Nationale, autorise et commet N
pour qu'il leve une force suffissante, qu'il commette les officiers nécessaires pour la commander, et qu'il se procure toutes munitions et approvisionnemens nécessaires à l'attaque et à la prise de la colonie espagnole la Louissiane ; le tout aux frais de la compagnie qui s'offre d'en faire les avances ; le chargeant par les presents de prendre possession de cette colonie *au nom de la République françoise*, de donner ensuite toute protection aux habitans de cette colonie qui se seront soumis ; de traiter selon les lois de la guerre tout ce qui resistera, de se concerter avec les commissaires civils nationaux qui pourront ètre nommés pour l'inventaire de toutes les proprietés appartenantes au gouvernement espagnol, les conserver, ainsi que la colonie, au nom de la république, jusqu'à des nouveaux ordres, et selon les conditions arrétées par le comité de salut public et le conseil exécutif provisoire avec les citoyens qui se chargent de faire toutes les avances de cette entreprise

XI. LACHAISE TO PELEY.[1]

(Archives des Affaires Étrangères, États-Unis, Vol. 43, fo'io 194.)

Auguste lachaise[2] Creol de la Louisiane Capitaine au 92e regiment Envoyé par le ministre plenipotentiaire de la République auprès des Etats Unis, Dans l'etat du Kentuky pour y cooperer avec le citoyen Michaux agent de la republique au Succès de l'expedition projettée Contre les Espagnols de la louisiane, Et fait chef de brigade, dans la legion revolutionaire du Mississipi

1re preuve a l'appuy de ce que j'avance dans le 1er paragraphe

1ere

Les Certificats des generaux Lavaux et lasalle, et des officiers de mon Corps, les passeports des Commissaires Civils, prouvent mon grade et ma conduite militaire, et mes pertes, et les raisons imperieuses qui m'ont forcé de quitter St Domingue

Au Representant Du peuple Peley Membre du Comité de Salut public, Et Chargé des Affaires de la Commission des relations Extérieures

Citoyen

Le 7. Aout 1793 (vieux Stile) apres avoir perdu dans l'Incendie Du Cap. tous mes Effets, mes brevets et Etats de Services, mes autres papiers, ma fortune Enfin, je partis de St Domingue pour aller aux Etats unis, retablir m'a santé, ruinée par quatre ans d'activités dans une guere s'i longue, si mal dirigée, Et s'i Destructive, Et par les maladies Suittes inevitables de Mes fatigues Exéssives, Sous cette zone Brulante Et . . Meurtrierre.

Après une traversée tres longue, Et tres dur ou je Me vis Enlever par les Corsaires des issles de la providence, Mes armes, Et le foible Numeraires, que je tenais de la Générosité de mes Camarades, j'arrivai à Newyork le 2. 7bre 1793. le Ministre plenipotentiare de la republique S'occupoit alors de l'Exécution du vaste plan D'une Expedition, contre la floride, Et la louïsiane, les Certificats que je lui présentai, m'a qualité de louïsianais, l'exactitude Des renseignemens que je lui donnai, Sur les localités de Ces deux provinces, Et les dispositions, de

[1] Endorsed "Reçu le 10.Plu. [January 29, 1795]. Enreg. N° 447. Renv. le 11 dud."

"Citt Campy. à joindre aux pieces données depuis par la Chaise d'après la demande qui lui en a été faite par Boisgerlier / Cit. quivel—chercher dans la correspondance des renseignements Sur *la chaise* en ecrire, s'il y a lieu, à la com^n de la mar. distinguer sa demande d'emploi de celle d'une indemnité pour son compagnon et remettre au cit. derville la partie de travail à faire à ce Sujet. Renvoyé au Commissaire des relations Exterieures pour donner son avis 9e pluviose. l'an 3e de la R. une et indivisible Vetel."

[2] See *Report of the Historical Manuscripts Commission*, 1896, Clark-Genet documents 12, 59, 65, 73, *et passim*, and Gayarré, *Louisiana under Spanish Domination*, 341; Martin, *Louisiana*, II. 123; *American State Papers*, For. Rel., I. 455; *American State Papers*, Misc., I. 931; Marshall, *Kentucky*, II. 117.

2e preuve
Du 2me paragraphe

L'ordre de genet, sa lettre à l'agent Michaux, le Certificat Du Capitaine qui m'a Conduit à newyork, le reçu de genioux pour les avances que je lui ai fait dans notre voyage, celui des hollandais acquereur de mes traites, le Certificat à l'appuy de ce recu du general Clark et des officiers francais servans dans la legion; mon brevet de chefde brigade, sont les titres et les droits que je fais valoir, pour obtenir mes appointemens, depuis le 1er 8bre jusqu'au 20 juillet, epoque de mon retour a philadelphie; et les indemnités que le Comité jugera Convenable de m'accorder

leurs habitans, En faveur de la république le determinerent, à m'envoyer Dans l'Etat du Kentuky, pour y Cooperer avec l'agent Michaux[1] au Succès de cette Expedition, je partis le 2. 8bre avec le Citoyen le paux[2] mon guide, Et la Citoyen Genioux, que je Crus devoir associer à mes fatigues, Et à Mes Dangers, Dans ce penible Et perillieux voyage; ce traitre[3] m'abandonna un mois après, pour Suivre, une Vingtaine D'Emigrés qui Se rendoient a la Nouvelle Orléans, pour Se joindre, a Cinq ou Six Cent aristocrates que reçoit Et paye au poids de l'or, le gouverneur de la louisiane; genioux a reçue Depuis le prix de S'a trahison, arreté Comme espion, Et comme mon agent, il a été Envoyé aux Mines; Lorsque je partis de Newyork, il ne fut pas question, Entre le Ministre, Genet Et moi, D'appointemens Et de rang[4] Je N'ambitionai que la gloire de Briser les Chaines de mes Compatriotes; devenir le liberateur de mon pays eût Eté mon plus beau titres, S'a reconnaissance Et Son Bonheur Eussent fait m'a plus douce recompense; je partis avec cent pistoles, Sommes Suffisante a peine pour payer, les frais D'achat de chevaux, Et Des vêtemens D'hivers, Et les dépenses de M'a routte; j'arrivai au Kintuky le 20 Xbre Sans un Sol; l'agent Michaux, mon unique resource dans ce pays inconu pour moi, venois de le quitter, pour ce rendre à philadelphie; je me trouvai donc l'agent principal de la république. auprès de cet Etat; je Crus ne pas devoir quitter mon poste jusqu' a Nouvel ordre, j'avais Des raisons plus puissantes que le Citoyen Michaux, pour y rester tres ferme et tres actif; pour Suivre les opperations qu'avait Ebauché cet agent; il falloit de l'argent qu'il n'avoit pus se procurer, j'en avois Besoin pour payer mes Dépences de premieres nécéssité, les fraix de mes Voyages, Et pour Soutenir m'a réprésentation; j'avais Sauvé des mains Des Corsaires 2500+ En traittes Sur le tresor National, fruit De quatre années de Service à St Domingue Et De nulle Valeur dans le Continent, je les proposai a un holandais Calculateur,[5] il les acheta pour le prix de 500+ Cette

[1] See Clark-Genet correspondence in *Report Historical MSS. Com.*, 1896.

[2] De Pauw; see documents 4, 12, 73, et passim, *Report of Historical Manuscripts Commission*, 1896: Correspondence of Clark and Genet.

[3] See *Report Historical Manuscripts Commission*, 1896, Clark-Genet documents, 12, 26, 43.

[4] Contrast De Pauw's statement in document 73, *loc. cit.*

[5] Compare De Pauw, *Report of Historical Manuscripts Commission*, 1896, p. 1103. He says he paid Lachaise seventy-five dollars for assignats which amounted to three hundred and seventy-five dollars.

foible mais tres précieuse Somme, dans un pays ou tout est a un aussi Bas prix, Me fournit les moyens de Subsister, Et de Voyager pour le Succé de m'a mission, jusqu'a Ce que jeusse Etabli le Credit de la republique Et inspiré par m'a Conduitte Et mon zèle l'interet Et la Confiance Generale ;

Je fus assés heureux pour y parvenir, j'en apporte des preuves Satisfeisantes pour la republique, Et flatteuses Et honorables pour moi ; Dans les Differentes addresses de Sociétés democratiques[1] Et des principaux Caracteres de cette Contrée ; lorsque je partis de Newyork quelques Colons. . . aristocrates officieux, informerent le Ministre espagnol de mon départ, Et du Sujet de m'a mission, un aviso Et mon Signalement, Et Celui de mes Compagnes de Voyages ; furent Expédies au gouverneur de la louisiane ; Nous fumens tous dénoncés au Gouvernement des Etats unis, aussitot, leur president Envoya des ordres, aux gouverneurs des Etats de l'oüest, de prendre les mesures les plus Sevéres Contre Nous, les proclamations du president, injurieuses pour la peuples du Kintuky Et du Cumberland, Et celles de quelques gouverneurs, de Ces Etats n'empecherent pas mes progrées auprès d'un peuple qui connoit Ses droits, Et qui Veut en joüir à quelque prix que ce soit ; qui depuis Dix ans Sollicite en vain Son Gouvernement qu'il appelle pusillanime Et partial de lui faire obtenir des Espagnols le droit Naturel Et Consenti, par les traités, de la libre Navigation du Missisipi ; Et qui se regarde déja comme lié par les nœuds de fraternité, d'alliance, Et de Commerce avec les louisianais devenus français, Et français libres, Soit par le droit De Conquête, ou de revendication, de la part de la republique française ; lorsqu'elle Dictera Ses loix aux puissances Ennemies Usurpatrices ou acquisitrices des cidevant possesions françaises. Sur le seul credit de la republique, Nous lévames facilement une légion Composée de 2000 mil[3] Kentukais de 900 français, des Etablissemens De l'Ohio, Et des illinois americains, nous gagnâmes les Sauvages Stipendiés par les Espagnol Et Envoyés à l'embouchure De l'ohio,

3.eme preuve
au 3.eme paragraphe

Je prouve tout ce que j'y avance par les adresies des Sociétés democratiques et les lettres des officiers superieurs de la legion ; et du general Clark, par les avis recus des natchez et de la louisiane superieure, Consignés dans deux lettres de rigo,[2] habitant des illinois Americains, par la proclamation tres curieuse du gouverneur de la louisiane par la lettre de mon rappel par le ministre fauchet, et par le passeport du consul de Baltimore

[1] Compare *American State Papers*, Misc., I. 931, for action on Lachaise's farewell address to the Democratic Society of Lexington ; see also Marshall, *Kentucky*, II. 117 ; and document 46, *Report Historical Manuscripts Commission*, 1896, p. 1056.

[2] Vigo ?

[3] *Sic.* Compare document 56, *Report of Historical Manuscripts Commission*, 1896, p. 1072, and citations there. Clark's claims asked pay for a captain, lieutenant, and one hundred men for two months. In document 68, G. R. Clark (November 2, 1795) says :

pour nous arreter dans Notre marche ; la Société Démocratique de l'Exington Sur le Cautionnement du General clark nous avoit fourni les provisions de Bouche Et de guere, Et les Batteaux de transport nécéssaires ; tout Etoit prés, le rendés-vous l'ordre General de départ Etaient donnés les troupes de tous les Cantons Etaient En marche, tous Brulants D'impatience de Si joindre aux français de la louisiane Superieure qui N'attendaient que leur arrivé pour porter les premiers coups à leur tyrans. la proclamation du Ministre fauchet, Et l'ordre officiel que je reçus de lui, de suspendre toutes operations relatives à L'Expédition, detruisirent Nos plus cheres Esperances. Nous confediamens[1] toutes les trouppes mécontente Et désésperés ; Et je me vis privé de L'espoir Si flatteur dêtre le libérateur de mon pays, Et le Vengeur De mes Compatriotes, De mon ayeul, Et de mes freres, Victimes, Des Cruautés du Barbare, orelli,[2] Et de leurs dévoüémens a la Mere patrie ; C'est ici le moment de dire que nos disposition, nos preparatifs, Et nos dépenses au Kintuky n'ont pas Eté infructueuses pour la republique ; Elles ont Coutés chers à l'espagne ; le gouverneur de la loüisiane En a Eté Si allarmé qu'il a Depensé plus de Six Million,[3] En six mois, En hérissant de forts Et De Canons la nouvelle orleans, Et En couvrant le Missisipi de Chaloupes Canonnieres, Et de galérés ; les premiers ont Eté dégradés Et ruinés par les pluyes, Et les dernieres Submergées par les ouragans du mois D'aoust ; En soudoyant Et fort cher une troupe d'aristocrates, Et les Citoyens de Couleur libres, qu'il a Séduis Et Egaré, En achetant d'avance, et payant Comptant, pour le Compte de Son Maitre, les recoltes des habitans Des Natchés, Et Des autres quartiers dont il n'avoit pas Voulu donner un Sol les années précédentes

"I think it unnesisary to inclose a Return of the Recruits as they ware (except one Company) never Calld to the field." Compare *St. Clair Papers*, II. 321, and Winsor, *Westward Movement*, 539.

[1] Congédiames (?)

[2] O'Reilly. Lachaise's grandfather was the king's *commissaire ordonnateur* in New Orleans. See Gayarré, *Louisiana under Spanish Domination*, 341, and Martin's *Louisiana*, II. 123.

[3] In September or November, 1795, Carondelet, governor of New Orleans, wrote to Alcudia comformably to the royal order of March 4, 1794, that $294,562 had been spent since 1791 in putting the provinces on a defensive basis. The sums paid to troops amounted to $174,695 ; the $294,562 were expended for fortifications ; Indian cessions ; supplying galleys for the Mississippi ; opposing Bowles and Clark ; negotiations with Kentucky ; construction of the canal to the St. John (Carondelet Canal), etc. See Draper Collection, 41 Clark MSS., 198, and AMERICAN HISTORICAL REVIEW, II. 474 (April, 1897).

4e preuve
du 4e paragraphe

la lettre du 20. fructidor du Ministre fauchet prouve notre mission en france etablit nos titres et nos droits, et legitime la demande que je fais au Comité au nom du Citoyen fulton et au mien, d'une paye et d'une subsistance quelconque, et d'etre mis a même le plutot possible dans quelque grade que ce soit, de rendre de nouveaux services a la republique.

le ministre fauchet doit avoir ecrit, à la commission des relations exterieures, sur les creances des fournisseurs du Kentuky et sur les reclamations du general Clark dont je presente les memoires et les lettres.

Je demande de plus le remboursement des avances, que j'ai fait au Citoyen fulton, depuis trois mois—elles Se montent a Sept Cens et quelques livres

Je pris donc a regret la route pénible Et perilleuse de Philadelphie à travers des déserts infectés de Barbares Sauvages avec mon fidel Compagnon D'infortune ; le Major fulton.[1] J'i arrivais le 20 juillet 1794, je fis un Raport de m'a Mission au Ministre fauchet, je lui donnai un memoire Sur les localités le caractere les Meurs Et les disposition favorables a la republique, Des habitans des pays que je venais de parcourir ; il jugea à propos de me faire passer En france avec le Major fulton ; Nous regardant comme tres utile a la republique, s'i Elle adoptoit un nouveau plan D'Expedition dont les opérations seroient, Dirigées Contre les espagnols des deux florides ; le Citoyen fulton a habité trois ans parmi les Sauvages de cette Contrée, il a Sur eux la plus grande influence, il parle leurs langage Et Connois parfaitement le pays, il pouroit Servir D'interprete Et de guide, il Seroit un Exelent recruteur parmi Les Sauvages, Et les americains qui forment la majorité Des habitans de la floride ; quand à moi j'ai Sur les localités de ce pays les Connoissance qu'a put me procurer un an de sejour à la Mobile, Et à pensacole, Dont j'ai fait les Campagnes Et les Sieges En 1780 Sous le general espagnol Galvès. J'appuie auprès du Comite les justes reclamations du Major fulton devenu aujourd'hui un des déffenseur de la republique ; il Subsiste à mes dépends depuis le 2. Brumaire[2] Dernier, Epoque de Notre arrivée En france ; il S'est acquis des droits à la justice Et à la bienfaisance Nationale par l'abandon qu'il a fait de Ses grandes proprietés dans la floride au tyran Espagnol lors quil Exigea le Serment De fidélité, Contre la republique française ; Des habitans de cette province Et de la Louisiane ; je rappelerai aussy l'attention du Comite Sur la dêtte Contractée au nom De la republique, avec les fournisseurs du Kintuky; le General Clark, s'en est rendu Caution, il a Eté En outre par son grade de General En Chef De l'Expédition Entrainé à Des dépénces Extraordinaires, il reclame des indémnités qu'on ne peut lui refuser

a paris ce 28 Nivose de l'an 3eme de la republique une et indivisible.[3]

Auguste Lachaise.

C. D. hôtel D'Angleterre Rue Montmartre.

[1] See *Report Historical Manuscripts Commission*, 1896, Clark-Genet correspondence, documents 51, 52, 58, 59, 61, 63, 64, 65, *et passim*.

[2] October 23, 1794

[3] February 16, 1795.

XII. COMMISSION OF FOREIGN RELATIONS TO LACHAISE.

(Archives des Affaires Étrangères, États–Unis, Vol. 43, folio 318).[1]

Paris le 17 Ventôse An 3.e de la R.lque[2]

La Cõission des Rel. Exterieures
au Cit. Auguste Lachaise
Rue Montmartre
Hôtel D'Angleterre

Tu as adressé, Citoyen, le 28. nivose dernier au Représent Pelet membre du Comité de Salut Public, une petition dans laquelle tu rendois compte de la Mission dont tu avois été chargé dans Kentukey, et dit mouvemens que tu t'étois donnés pour assurer le Succès de l'Expédition projettée par Genêt Contre la floride et la Louisiane. tu terminois en demandant.

1.° de l'emploi tant pour toi même que pour le Major Américain fulton, qui après t'avoir accompagné dans tes voyages en Amérique, t'a suivi en france.

2.° le remboursement de diverses sommes, dont tu as joint l'Etat à ta petition, lesquelles forment un total de 8350+.

La Commission des Relations Extérieures appellée a donner son avis sur ces reclamations, a remis son travail, le 26 Pluviôse et le 5 du Courant, le Comité de Salut-Public a rendu la décision Suivante :

" Deliberé et accordé la Somme sur les fonds Secrets à titre
" d'indemnité.

C'est à la Commission des Relations Extérieures que tu devras t'adresser pour jouir de l'effet de cette détermination.

[1] Endorsed : " Relations Extérieures, Troisieme Bureau."

[2] March 7, 1795. See the previous document, and États–Unis, Vol. 43, folio 191.

REVIEWS OF BOOKS

Introduction aux Études Historiques. Par Ch.-V. Langlois, Chargé de cours à la Sorbonne, et Ch. Seignobos, Maitre de conférences à la Sorbonne. (Paris: Hachette et Cie. 1898. Pp. xviii, 308.)

Students of history, the authors of this volume argue in their preface, stand in need, in a greater degree than students of any other subject, of a clear understanding of the methods that they are called to employ. "In history the instinctive methods of procedure are not the rational methods," while "the rational processes of attaining historical knowledge differ so widely from those of all other sciences that it is necessary to perceive their exceptional character" in order to avoid adopting in history methods that have their only proper application in other fields. The outline of historical method which the authors have here sketched on the basis of their lectures at the Sorbonne aims to give something more definite and substantial than is to be found in works of the type of Droysen's *Historik* and Freeman's *Methods of Historical Study*, without attempting the elaborateness of Bernheim's *Lehrbuch der historischen Methode*. The first half of the book is due to M. Langlois, the second is the work of M. Seignobos.

The first part considers, as belonging to the preliminary equipment of the historian, the conditions of the transmission and collection of historical material and the means of finding it (*Heuristique*), and the various "auxiliary sciences"—philology, palaeography, diplomatics, etc.—whose usefulness depends upon the special period and subject to be studied. Book II. then takes up the operations of analysis necessary to disengage the historical fact from the "document" in which it is contained. History is not a science of observation; the historian does not observe directly the facts with which he deals, they are known to him only indirectly by the traces which they have left, either in material remains or in psychical effects which can be expressed only by means of symbols. From these symbolic representations—which, written, spoken, or pictured, constitute the great mass of historical sources—the actual occurrence can be reached only by reconstructing, in inverse order, the entire chain of operations intervening between the original observation and the symbol as we now have it. The historian must begin by assuring himself that the "document" has reached him in its original form, or in case he has to deal with a copy, by restoring the original to the extent that existing means permit; he has then to determine its time, place, and authorship, and frequently the sources from which it has been composed;

and the various related "documents" must be collected and classified. These various processes of external criticism completed, the more difficult work of internal criticism begins. For the history of men's ideas, beliefs, and state of knowledge in general, where the conception which the writer had in his mind is all that is sought, but one further step is necessary, namely the interpretation of the text, made with the fullest possible knowledge of its context and of the language in which it is written. To arrive at actual events, however, the historian must proceed to test the good faith and accuracy of the author, each of whose statements should be approached with systematic distrust at every point. The only certain results of this process of criticism are the negative results; on the positive side it can do no more than indicate the degrees of probability attaching to different individual affirmations, which cannot become scientifically established facts until verified by the concordant testimony of other "documents" representing different observations. Even then the results of historical investigation, indirect at best, cannot attain the certitude reached by the sciences of direct observation, and in case of disagreement the historian must yield to the natural scientist.

The synthetic operations necessary to construct history out of the heterogeneous materials furnished by these processes of analysis form the subject of Book III. This side of methodology has not yet received sufficient attention—for the classification of the incoherent mass of historical facts "the practice of historians furnishes no method; originating as a branch of literature, history has remained the least methodic of the sciences." History cannot imitate biology; its materials come indirectly through the medium of the imagination, imagined but not imaginary, and are described in terms that are often inexact and misleading. The problem of the historian is to re-imagine the event from the description and classify the events thus imagined under appropriate categories by means of a series of questions; the gaps that remain in each group are next to be filled where possible by inference from facts already established, and he may then proceed to construct general conclusions from the material thus arranged and enlarged and to express the results in monographs or more extended works.

In their brief conclusion the authors speak of the limitations of history and the need of a division of labor among historians and summarize their views concerning the advantages of historical study. Rejecting the old view of history as a *magistra vitae* furnishing rules for the conduct of life, they claim for it an indirect utility only. It helps us to understand the present by explaining its origins, although for this purpose the history of our own century is in most cases sufficient; it is also indispensable to the progress of the political and social sciences, which, by reason of the insufficiency of the data afforded by existing phenomena, must draw their materials in great measure from the past and in so doing must (often as they are tempted to forget it) adopt the methods of historical research. The chief justification of historical study is, however, to be found in its effects upon the mind, in inculcating a wholesome scepticism, in familiar-

izing men with different customs and with the idea of social change, and in explaining the nature of historical evolution, so different from the evolution of the animal world. The volume closes with two appendices dealing with the condition of historical studies in French institutions of secondary and higher education.

This summary will serve to show the general plan of the book, although it does not do justice to its originality of thought or its clearness of exposition. The *Introduction* is simpler and more compact than Bernheim's *Lehrbuch*, whose merits the authors acknowledge and to which they frequently refer; it omits the bibliographies, the discussions of metaphysical problems, and the numerous examples which occupy so much space in that excellent manual. On the other hand it supplements Bernheim at several important points, its analysis is often more penetrating, and it devotes a larger share of its attention to the important problems of historical synthesis. Some of the authors' statements demand fuller justification than has here been given, and some of them are sufficiently radical to provoke dissent in many quarters, but the work as a whole is a valuable contribution to the literature of historical method and cannot be read without stimulating thought and clarifying one's ideas. It is to be hoped that the demand for the *Introduction* will be sufficient to encourage M. Seignobos to prepare the elaborate treatise on historical method which he has in contemplation. He has worked out certain phases of the subject more fully in his noteworthy articles, *Les Conditions Psychologiques de la Connaissance en Histoire*, in the *Revue Philosophique*, July and August, 1887.

CHARLES H. HASKINS.

A History of Christianity in the Apostolic Age. By ARTHUR CUSHMAN MCGIFFERT, PH.D., D.D., Professor of Church History in the Union Theological Seminary, New York. (New York: Charles Scribner's Sons. 1897. Pp. xiii, 681.)

THIS is the most comprehensive and the most critical work upon the Apostolic Age that has yet proceeded from the American press and an American author, and it is destined to play an important part for some time to come in the discussion of the questions connected with the rise and early history of Christianity. That it will be accepted as a standard history by American scholars and the reading public is hardly to be expected, or desired. The work may be briefly characterized as an attempt to reconstruct the history of the origin and development of Christianity in the Apostolic Age upon the lines laid down by Professor Harnack and the "modified" Ritschl school. Still there are many important things in the book to which, if we are not mistaken, Dr. Harnack will hesitate to subscribe. This is only to say, that Professor McGiffert, while agreeing in the main with Harnack, does not hesitate to diverge from him, and gives abundant evidence of independent research and critical acumen.

In the arrangement of his material Professor McGiffert has adopted

in general the scheme of Weizsaecker. But when it comes to the portrayal of the progress of Christianity his treatment is more comprehensive than that of his illustrious predecessor, while at the same time equal attention is given to the discussion of details. The work opens with a chapter on the origin of Christianity, which is treated under three heads, —Judaism, John the Baptist and Jesus. The first of these is well handled, and displays our author's power of rapid survey and of clear and concise statement. The interpretation of John's character and mission is less successful, and the significance of the Forerunner's work is underestimated. But it is when we come to the section on Jesus that the gravest defects in this entire work are disclosed. It might seem at first unfair to judge a history of apostolic Christianity by the author's treatment of the person of Christ. But since the question of the origin of Christianity and the question of its development cannot now be separated, and since the Founder of the Faith continued, or is generally supposed to have continued, to be its inspiration and impulse, there is no injustice in testing the volume before us by its exposition of the life, character and teaching of Jesus. Professor McGiffert gives some twenty pages to this theme. He begins by referring us (in a foot-note) to "the Lives of Christ and the general works on New Testament theology," adding the related works of Wendt, Baldensperger, Toy, Cone, Briggs and others. But since he does not tell us which "Lives" and which "New Testament theologies," we are left in doubt as to his views on several important points, since he is himself often rather strangely silent. For example, many recent "Lives" seek to maintain the historicity of the birth-stories as given by Matthew and Luke, and to establish the fact of the bodily resurrection of Jesus. Professor McGiffert, so far as we have observed, does not even allude to these birth-stories, presumably because he believes them to be wholly legendary. But if legendary, is it not the function of the historian of apostolic Christianity to trace the growth of the legends, and to explain their adoption by the Church? The question of the bodily resurrection of Jesus is similarly slighted. Our author says that "at a very early day . . . the expectation of a resurrection of the body had become almost universal among Christians" (p. 453). Whence came this belief? Had it any connection with the resurrection of Jesus? These questions are not unimportant and yet they are left unanswered. We are told (p. 19) that Jesus "began with the announcement of the approach of that [kingdom] for which they [the Jews] were all looking, and throughout his ministry it was this kingdom and none other, of which he spoke." But on page 21 we are informed that "in regarding the kingdom as a present reality, Jesus departed in a most decisive way from the conceptions entertained by his countrymen," and (p. 22) that his "conception of the future kingdom was doubtless due in part to Jewish influence, but in still larger part to his own experience." Now which of these statements are we to credit? Dr. McGiffert declares that "it seems never to have occurred to him [Jesus] that the time would yet come for its [the Jewish law's] abrogation" (p. 26). But what are we

to do with Christ's words to the woman by Jacob's well: "The hour cometh, when neither in this mountain, nor in Jerusalem, shall ye worship the Father" (Jno. 4: 21 f.)? Did not that contemplate the abolition of the temple ritual laws? Cf. Mk. 13: 2, Matth. 9: 14 f. and Jno. 10: 11 f. Again, by his conduct and by his words Jesus forecast the transformation of the Jewish laws regarding the Sabbath (Mk. 2: 23 f.), regarding cleanliness (Mk. 7: 1 f.), fasting (Mk. 2: 18 f.), prayer (Matth. 6: 5 f.), almsgiving (Matth. 6: 2 f.). He likewise prepared the way for a change of attitude toward the whole moral law as embodied in the Hebrew Scriptures (Matth. 5: 21 f.). Our author seems to admit as much, but says "Jesus gave no clear indication that he expected it ever to come" (p. 27). Jesus then was not alive to the real significance of his own words, and yet Dr. McGiffert tells us that he "gave utterance to a principle which *must* revolutionize the prevailing conception of the law" (p. 27)! Once more, we are informed (p. 30) that "Jesus' emphasis of faith in, or acceptance of himself, is throughout an emphasis not of his personality but of his message." This, as it seems to us, is a direct inversion of the facts and a complete perversion of the truth. For Jesus had the deep consciousness that he was come *to be* something from God to the World. He brought a message, to be sure, but it was an *incarnated* message, and therein lay its significance and power. Moreover he, the Son of Man and the Son of God, *gave his life* for the redemption of the world. This is his own interpretation of his mission, and his first disciples so understood him and in that faith the foundations of the Church were laid. But Dr. McGiffert tells us that "they thought of him only as the Messiah, and the fact that he left a church behind him, instead of a mere name, and that he is known to history as the founder of a religion and not as a mere sage or prophet, is historically due not so much to any uniqueness either in his character or his nature, as to the conviction which he succeeded in imparting to his followers that he was the one who had been promised by the prophets and long awaited by the fathers;" and "had he not stepped into the place which had for so long been waiting to be filled, and become the centre of the accumulated hopes and expectations of centuries," "he might have been all that he was as a teacher and a wonder-worker, and yet have accomplished little more than John the Baptist did" (p. 32).

Passing now to Chapter II., "Primitive Jewish Christianity," let us inquire of Dr. McGiffert as to what the disciples thought and believed concerning Jesus after he had been taken from them. We are told that "there is no reason to suppose that the disciples in the beginning had any other idea of the Messiah than that which prevailed among their countrymen in general,"—viz. that of "a man called and chosen by God,"—and "there is no sign that they thought of asking whether that idea was correct or not" (p. 54). Now it is fair to assume that the disciples shared in the main their Master's opinions concerning himself and his mission, after they had recovered from the shock of his death and been illumined by the glorious fact of his resurrection. For two years or

more they had been in the closest daily intercourse with him; he shared with them his inmost thoughts, and sought in every way to make known to them his purpose and mission. It is not conceivable that Jesus, who had such clear insight into character, should have selected twelve men who were so dull as to be impervious to his great central thoughts concerning himself. There is no escape then from the conclusion, that the original disciples, after the resurrection, understood and interpreted the character and mission of Jesus essentially as he himself understood and interpreted them. That is not to say that their ideas were fully developed, or that they saw all the bearings of their own utterances concerning the Christ. But they did not fail absolutely to get at the heart of their Master. If this be true, then any later interpretation of the character and mission of the Christ, which differs radically from this earliest interpretation, is a perversion and corruption of Jesus's teaching. Now Dr. McGiffert tells us that "only after some time had passed did Christian thinkers begin to fill in the conception of the Messiahship with this and that content" (p. 54), so that Jesus came to be thought of "as the incarnation of deity and as the perfect and ideal man" (p. 31). Who then was so bold as to shift thus completely the centre of gravity of Christianity? Dr. McGiffert assures us that to the early disciples "Christianity . . . was Judaism and nothing more. It was not even a substitute for Judaism, nor even an addition or supplement to Judaism; it was not, indeed, in any way distinct from the national faith" (p. 58). This is an amazing statement, and, if it be true, then we are forced to one of two conclusions: Either Jesus's teaching and Gospel were in no way different or distinct from the current Judaism of his day, or his disciples went to school to him to no purpose. If we take the former alternative, then Paul and not Jesus was the founder of historic Christianity, which certainly is distinct from the Judaism of Christ's day. Professor McGiffert does not wholly shrink from this alternative. He says that "the first recorded departure from primitive principles took place in connection with the Caesarean centurion, Cornelius" (p. 101), but the primitive disciples did not on this account "become any the less truly Jews, nor did they consciously waive any of their ancestral prerogatives" (p. 108). They still believed then that "Christianity . . . was Judaism and nothing more." Paul, however, had been some time in the field, and his Gospel was something quite different. For "not to the teaching of Christ, but to the teaching of Paul, does the church owe its controlling emphasis upon the Savior's death; and not to the former, but to the latter, is chiefly due its recognition of him as a Redeemer from sin." Either Christ was not aware of his own true character and mission, or Paul distorted his Gospel and transformed him, the Jewish Messiah, into a world-wide Redeemer from sin. But we are hardly prepared to take either horn of this dilemma. Suppose we test the alternative of which we have spoken, viz., that the disciples went to school to Christ to no purpose. There are certain insurmountable objections to this theory. It impugns Christ's wisdom in choosing these men; it discounts his

capacity as a teacher; it fails to account for the preservation of his deeds and words; and it violates a well-known law of the human mind. The twelve had been with him from the beginning; they had shared his daily life, and listened to his gracious words. When he was taken away, if they reflected at all, they must have found something in his Gospel besides Judaism. No doubt they fell far short in many respects in their apprehension of his teaching, but not in all respects. We are told that our "sources" compel us to write them down as "Jews in all particulars." This we deny. Our Gospels must be taken into account in forming our opinion of "primitive" Christianity. The so-called "sources" for "Jewish Christianity" are but the veriest fragments, and we are not justified in drawing our picture of the beginnings of Christianity from them *alone*. Moreover, Paul and the original apostles never differed radically concerning the character and personality of their Master. They worshipped the same Lord, and that Lord was Jesus of Nazareth,—to Paul as well as to Peter. Paul did not depart so absolutely from primitive Christianity as to change its very centre of gravity. Jesus is under no obligations to Paul for his divinity, nor even for his pre-existence.

It is not possible within the limits allotted us to proceed farther in the examination of Dr. McGiffert's book. Its good and strong qualities appear more and more abundantly, after he has passed beyond the origin of Christianity and primitive Jewish Christianity. Much can be said in praise of its treatment of many vexed questions, and in every discussion the author shows himself a keen critic who seeks only to get at the truth. No student of the Apostolic Age can afford to pass this book by, and we are only sorry that we cannot commend it in all particulars.

EDWIN KNOX MITCHELL.

Christian Institutions. By A. V. G. ALLEN, D.D., Professor of Ecclesiastical History in the Episcopal Theological School in Cambridge. (New York: Charles Scribner's Sons. 1897. Pp. xxi, 577.)

THIS treatise aims to be "a summary of the church's history from the point of view of its institutions." It consists of three books, which treat respectively of the Organization of the Church, the Catholic Creeds and the Development of Doctrine, and Christian Worship. Book I. comprises nearly one-half of the whole treatise, and is a rediscussion of a well-worn theme, with some variations in the method of handling it, but with no real additions to our knowledge of the subject. After taking a "historical survey," Dr. Allen gives us an interesting chapter on Apostles, Prophets and Teachers, in which he expounds the New Testament use of these terms, and attempts to reproduce "the picture of the ministry in the apostolic age." He declares that the authoritative description of the ministry during this time has been given us by St. Paul in I. Cor. xii. 28, and that it is in substantial agreement with the accounts in the earlier chapters of the Acts of the Apostles. Our author passes to the

discussion of the subject of Presbyters, Bishops and Deacons, and then takes up the question of the Origin of the Episcopate. He adopts in general the Hatch-Harnack theory that the office of bishop was from the first distinct from that of presbyter, and that the bishop gained his great ascendency largely through his gradual assumption of the function of administering the Lord's Supper, which grew more and more in dogmatic significance and in the reverence of the people. In the chapter on the Christian Ministry in the Second Century, Dr. Allen describes the displacement of the presbyter from his position as successor of the Apostles by the bishop, who now receded from his lofty Ignatian position as the successor of Christ. The "passing of the prophets" is then explained as due to the stress of the times brought about by Gnosticism and Montanism. Dr. Allen next takes up the Age of Cyprian and declares that he strengthened the foundations of the Catholic church "by formulating those doctrines of apostolic succession and of a mediating priesthood on which was built the later massive and imposing structure." A chapter on Monasticism, one on the Greek Church, and one on Nationality and the Episcopate, bring us to the closing chapter of Book I., which discusses the Age of the Reformation.

Book II., The Catholic Creeds and the Development of Doctrine, is the least significant part of this volume, though there are some admirable passages in the hundred pages given to this prodigious theme. Our author declares truly that "it is the distinctive feature of ancient theology, that it fastened upon the Person of Christ as the essence of the Christian faith". . . "the Person of Christ as concentrating in Himself the new life and the light that had come into the world." And again, "the Catholic creeds assert the Divine Name, the Father, the Son, and the Holy Ghost, as that which separates and distinguishes Christianity from Judaism and from every form of heathen thought, while it also embraces in comprehensive unity all that was true both in Judaism and heathenism."

Christian Worship comprises the third Institution of the Church, according to Dr. Allen, and he treats it by taking up one phase after another of the general subject. Baptism, Repentance and Faith constitute the first chapter. Then comes a chapter on the Development of Principles which Affected the Cultus. Our author says "that the prevailing tendency in the cultus of the first three centuries was homiletical or intellectual, appealing to the conscience and the reason;" but "after the fourth century . . . the material symbols assumed the predominance . . . and the Eucharist became the sole embodiment of the Christian aspiration for union and communion with God." Dr. Allen declares that the explanation of this change is not to be found so much by tracing points of affinity between Christian and pagan ritual, as by seeking for some principle common to both. The tendency which in the pre-Christian age gave birth to the heathen mysteries finally became prevalent in the Church and developed the Christian Mysteries. After the triumph of Constantine doors were thrown open as never before to the pagan world, and many persons entered the Church, whose minds were filled with heathen ideas

of worship, priesthood, sacrifices and the like. Our author has an interesting section on Dionysius the Areopagite, who "completed the preparation and clothed the growing cultus with an unearthly and almost ineffable splendor, justifying its inner principle by a philosophical appeal which went to the heart of his age." The volume before us closes with a chapter on the Lord's Supper. The author maintains that the Lord's Supper was at first organically related to the *agape*, which was the continuation as well as the commemoration of the Christ's last supper with his disciples. In the Ignatian Epistles "the eucharist is identified with the agape." In Justin Martyr "we have the first intimation of the Lord's Supper as a rite distinct from the agape." "Ignatius was the first to attach a doctrinal significance to the Lord's Supper," but he did not intend to teach transubstantiation. "The Lord's Supper was not regarded as a sacrifice in the technical sense of the word by any of the church writers of the first three centuries, with the exception of Cyprian." From these quotations it is apparent that Dr. Allen agrees in the main with Dr. Harnack on the subject of the Eucharist.

EDWIN KNOX MITCHELL.

Die Gesetze der Angelsachsen. Herausgegeben im Auftrage der Savigny-Stiftung von F. LIEBERMANN. Erster Band, Erste Lieferung. (Halle: Max Niemeyer. 1898 [1897]. Pp. 191.)

THE year 1897 marks a revival of interest in Anglo-Saxon history. Scarcely have we conned the pages of *Domesday Book and Beyond* when we find before us the first part of Dr. Liebermann's new edition of the *Gesetze der Angelsachsen*. The fact that this work is put forth under the auspices of the Royal Academy of Sciences at Munich exemplifies the catholic spirit of German scholarship, and shows that the Germans regard the Anglo-Saxon laws as a valuable source for the study not merely of English legal and constitutional history but of early Germanic institutions in general. A better editor than Dr. Liebermann could not have been selected. His admirable pamphlets on the *Leges Edwardi Confessoris* and on other Latin versions of the twelfth century must have convinced everyone of his ability to produce a masterly edition of the Anglo-Saxon laws; and the first *Lieferung*, which is now before us, should meet the expectations of those who for years have been awaiting its publication. It is a scholarly performance of the first rank, a monument of learning of which Germany may well be proud, and for which students of history throughout the world should be grateful. The critical labor expended in its production must have been enormous, for it is based upon the careful study, transcription or collation of more than a hundred manuscripts preserved in twenty libraries of England.

As yet it is difficult to comment upon the edition as a whole or to venture upon an elaborate review of the work, because the first part contains only the text and translation to the end of Edmund's reign. Ex-

planatory notes concerning the value and authenticity of the manuscripts and concerning the interpretation of particular passages, as well as disquisitions on the institutions referred to in the laws, will appear in the second volume, which will also contain a glossary. Doubtless this second volume will be of more general interest than the first.

All that we can do at present is to note two features which distinguish this edition from its predecessors. In the first place, Dr. Liebermann prints in parallel columns, besides the Latin version taken from the *Quadripartitus* and a German translation, the full Anglo-Saxon texts of various ancient manuscripts; and he gives in footnotes many variant readings from other manuscripts. The result is that we have in this edition much fuller and better texts, and the various collections of laws are dated with more accuracy. In the second place, he provides us with a much more satisfactory translation than that which we find in the editions of Thorpe and Schmid. An admirable innovation in the translation is the addition in brackets of explanatory words which make the meaning clearer. Owing to the brevity of the text and to the bewildering use of Anglo-Saxon pronouns, the literal translations of Thorpe and Schmid are often meaningless. Dr. Liebermann has rightly regarded it as the proper function of an editor to remedy this defect.

In conclusion, two or three trifling criticisms may be ventured. It is remarkable that this first part of the work has been published without any preliminary explanations of its scope, the signification of the different kinds of type used, etc. Probably these explanations will appear later in the form of an Introduction to precede the whole work. Meanwhile the publisher's prospectus which has been distributed would be helpful if it were bound with this *Lieferung*. The general appearance of the pages is attractive, but the rubrics are not printed in a form of type that easily catches the eye. Finally, the wisdom of placing Ine's laws after Alfred's, as they stand in the manuscripts, may be questioned; much may be said in favor of the chronological order adopted by Schmid.

CHARLES GROSS.

The "Opus Majus" of Roger Bacon. Edited, with Introduction and Analytical Table, by JOHN HENRY BRIDGES, Fellow of the Royal College of Physicians, sometime Fellow of Oriel College. (Oxford: Clarendon Press. 1897. Two vols., pp. clxxxvii, 404, 568.)

THIS edition of the *Opus Majus* is certainly somewhat superior to that of Samuel Jebb, M.D. (London, 1733; Venice, 1750). It contains the seventh part, on moral philosophy, which Jebb omitted; and it separates as an appendix to the main work that section *De Multiplicatione Specierum*, which is really the third part of the *Opus Tertium*, but which Jebb interpolated between the fifth and sixth parts of the *Opus Majus* (pp. 358–444 of ed. of 1733). The new edition is provided with a full analytical table of contents, which is extremely convenient, and has a

tolerable index besides, while Jebb gave but a meagre index and no table of contents nor any running titles other than that of the whole work.

Having acknowledged the relative convenience of the new edition, we find nothing more to praise. One cannot read far in the introduction without recognizing in it a splendid example of that cool, calm, and collected ignorance which does not know the difference between cramming and learning; and before we turn the very first leaf of text and notes, we begin to lose confidence in the minute accuracy of the edition.

But nothing better can be hoped for until a complete Vatican MS. is found. Roger Bacon never published any book. He was continually rewriting, and in doing so lapsing into negligences which required him to rewrite again a part of what he had rewritten. It seems, unless he lies, which would be a gratuitous hypothesis, that he did send to Pope Clement IV. (in Rome) a complete copy of the *Opus Majus*. But lest it should be lost in transportation (see his words in *Eng. Hist. Rev.*, XII. 507),[1] he sends along with it a brief synopsis of its contents. The inference would seem to be that the copy sent was the only copy; and other remarks of Bacon support this supposition. If that one copy could be found, it would solve the difficulty. But is any competent man likely to risk his reputation by undertaking the manifestly impossible task of producing a perfect text as long as every old MS. is a rough draught and every consecutive one is a late patchwork? As to Bacon's other works, there is no reason to suppose that any of them (unless the letters to John of Paris, if they are genuine) was ever completed.

Dr. Jebb's edition of the *Opus Majus* was by no means excellent, judged by the standards of his day. Brewer's publication of the *Opus Tertium*, the *Opus Minus*, and the *Compendium Studii* was so welcome that nobody seem inclined to look the gift-horse in the mouth. It would not bear severe criticism. But that Dr. Bridges is the most surpassingly careless of all the poor friar's editors, with little palaeographical skill, is demonstrated in the *Athenaeum* of September 15 and October 16, 1897, and in the *English Historical Review* of January, 1898.

Those reviewers take the ground that the publication had better not have been made at all. This is going too far; for if Gasquet's recent search in the Vatican did not bring to light a complete MS. of the *Opus Majus*, and his statement that he has found "other interesting and important material" cannot give us much hope that he did (although the *Saturday Review* for September 18 positively asserts that the MS. originally sent by Bacon to the Pope is still in the Vatican), then it is unlikely that a satisfactory text can soon be established. In any case, the present publication can only increase the interest that will be felt in any other which should really throw a better light upon that abortive renaissance of physical science which took place in the first half of the thirteenth cen-

[1] The same matter is expressed in other words in Cap. XXI. of the *Opus Tertium*, which appears to be a first draught of the epistle ultimately condensed as printed in the *English Historical Review*; although no doubt Bacon subsequently determined to make a separate work of it.

tury, and of which Roger Bacon, lifted out of obscurity by the accidental circumstance of his correspondence with Clement IV., is the best-known representative. It is desirable that any further revelations concerning that interesting movement should be made in a form which should be agreeable reading to the largest possible number of physicists. Now, physicists in our days are quite out of the habit of reading Latin; and therefore we would venture to suggest that a translation of any long works should accompany the text, on alternate pages.

A Bibliography of British Municipal History, including Gilds and Parliamentary Representation. [Harvard Historical Studies, V.] By CHARLES GROSS, Ph.D., Assistant Professor of History, Harvard University. (New York, London and Bombay: Longmans, Green and Co. 1897. Pp. xxxiv, 461.)

No more timely book has of late appeared than this handsome volume. How very urgent has been the need of such a guide is suggested by the fact that among the thousands of writings noticed in it there cannot be found one scientific treatise devoted to the general constitutional history of English boroughs. Nay, there does not appear to exist a satisfactory institutional account of any single borough, much less of any town or county, in Great Britain. Important contributions have, of course, been made, notably in the general constitutional works of Gneist, Hegel and Stubbs: while here and there a valuable essay or monograph deals in a competent way with some special phase or feature of town life or organization.

For the first time in Dr. Gross's book we have a scientific bibliography of British municipal history prepared primarily for the student and not for the book-buyer. It "comprises books, pamphlets, magazine articles, and papers of learned societies" relating to the "governmental or constitutional history of the boroughs of Great Britain, including gilds and parliamentary representation. Town histories which do not deal with any of these topics, purely topographical works, and parish histories are omitted." The literature thus left out is of vast extent. Turner, for example, announces a "hand-book for buyers and sellers" under title of *Ten Thousand Yorkshire Books;* while Dr. Gross points out that in Vol. III. of Hyett and Bazeley's *Manual of Gloucestershire Literature* 337 octavo pages are devoted to Bristol alone.

The *Bibliography* comprises in all its divisions 3092 numbers, some of them of course indicating extensive sets or collections. In the more important cases the author, often at the cost of much time and labor, has indicated the character of the work or given a concise analysis of its contents, while conscientiously marking those which he has not been able personally to examine. The aid in this way afforded the student is frequently of the most painstaking and useful kind; as for instance (pp. 35–38) in listing the principal cases in the law reports relating to municipal questions; or throughout the book in giving page references to the public records, parliamentary reports and other papers.

The work opens with an introduction, prepared in the author's compact and thorough way, in which the character and state of preservation of the public records, town archives, and town chronicles are discussed, with an account of the general histories of boroughs and the histories of particular towns. Dr. Gross comments on the shameful lack of care often shown in regard to preserving the town archives. Thus according to the Historical Manuscripts Commission the most ancient records of Weymouth and Melcombe Regis were removed from a "stable in which they were deposited as so much rubbish;" and so escaped the "housemaid and the fire-grate, to whose tender mercies a considerable portion of them had been already consigned." It is also noteworthy that neither the general nor the local historians have made much intelligent use of the town records.

The bibliography itself is divided into two parts. The first part, comprising numbers 1 to 919, is classified as follows in fourteen categories: bibliographies and catalogues (nos. 1–43); general public records (nos. 44–77); general municipal histories (nos. 78–94); the Roman and Anglo-Saxon periods (nos. 95–117); the later Middle Ages, 1066–1500 (nos. 118–148); modern times, 1500–1800 (nos. 149–169); nineteenth century: municipal reform (nos. 170–284[a]); parliamentary history (nos. 285–527); gilds (nos. 528–567); county histories (nos. 568–676); the Cinque Ports (nos. 677–705); Ireland (nos. 706–754); Scotland (nos. 755–893); miscellaneous—England and Wales (nos. 894–919). The second part relates to the literature and records of particular towns, the arrangement being alphabetical from Aberdeen to Youghal (nos. 920–3092). Some idea of the scope of the work may be gained from the fact that more than four hundred cities, boroughs, and towns are dealt with in this division.

Dr. Gross's book ought to stimulate and greatly aid in organizing the scientific study of municipal history in both America and Great Britain. Here is a vast field for research. The institutional development of hundreds of individual towns is yet to be traced; and perhaps some time we may have a general constitutional history of English boroughs. The last-named task can fall into no safer hands than those of the editor of the *Coroner's Rolls* and the author of the *Merchant Gild*.

GEORGE ELLIOTT HOWARD.

History of the Commonwealth and Protectorate, 1649–1660. By SAMUEL RAWSON GARDINER. Vol. II., 1651–1654. (London, New York, and Bombay: Longmans, Green and Co. 1897. Pp. xxii, 503.)

MR. GARDINER'S last volume, being the second of his history of the Commonwealth and the Protectorate, maintains the character of the series, which as a work of research into the annals of this period is admirable and is likely to be final. The materials unhappily are meagre. There is no good writer of memoirs; no Pepys or Horace Walpole, to

hold up for us the mirror to that momentous time. But all that there was to be gleaned, whether from English or foreign sources, Mr. Gardiner seems with indefatigable industry to have brought together. His judgment is always calm and fair, whether you happen entirely to agree with him in the particular case or not.

His first chapter deals with the phenomena of opinion at the time of the transition from the Commonwealth to the Protectorate. He sees in it a general tendency to reaction. In the case of Hobbes this is clear. Never was a philosophy more manifestly the offspring of circumstance than that of the author of the *Leviathan*. Hobbes recoils from the religious zeal of the Puritans as well as from their love of political liberty; for though it would be difficult to substantiate the charge of speculative atheism levelled against the writer in his own time, no philosophy can be practically more atheistic than one which treats religion as an engine of state. Hobbes is in both his aspects the prophet of the Restoration. Mr. Gardiner sees reaction against Puritan individualism even in the Utopias, such as that of Winstanley, designated by him as "the most thoughtful of all the Diggers who had attempted to establish community of property." "Not only kings but lords of the manor, lawyers, landlords, and a tithe-supported clergy were to vanish from the face of the country, and in the place of the existing life of competition was to be established a collectivist society in which all worked under the superintendence of elected overseers for the good of all." No money was to be admitted in that commonwealth. So there were Bellamys before Bellamy.

Passing to Ireland Mr. Gardiner describes the closing scene of that hideous struggle of races for the land, not failing to do justice to the comparative humanity of Ireton. His view of the Irish policy of the Commonwealth and Protectorate is adverse. He thinks that it gave birth to a hostile Irish nationality by its oppression of the Irish religion.

"It was this steady growth of Irish national feeling which constituted the real difficulty of the conquerors. Merely to deal with the murderers of 1641, or even with the leaders of the insurrection which followed, would have been comparatively an easy task. The murders and the insurrection were but an episode in the deplorable history of that long strife of which Englishmen took little heed. It was only in the nature of things that England should set herself against the establishment of a hostile nation in Ireland; only in the nature of things that her attempt to hinder it by main force should be the fruitful source of unnumbered miseries. It was no longer possible to resort to the intelligent policy of Henry VIII., and to govern Ireland by rulers developed within herself. Mary, Elizabeth, James, and Strafford had struck another note, each time with increasing emphasis. The Commonwealth, in its own conceit so innovating, could find no other way than to tread in the steps of its immediate predecessors."

What other course could the Commonwealth have taken? It could not have ejected the conquering race, the race of its own blood and religion, in the hour of hard-won victory. It could not have fused the two races by its fiat. It could not have constructed political institutions under which the two races would have lived in brotherly union. It

could not have encouraged the development of a Celtic and Catholic nationality with a great Saxon and Protestant colony in its flank. It took what surely was not only the natural but the right course in bringing both races by a union with England and Scotland under the rule of an Imperial Parliament. It gave Ireland free trade with England and her colonies, the want of which was, fully as much as anything else, the source of her subsequent miseries. Cromwell proclaimed freedom of conscience. Practical freedom of worship would probably have followed. The penal code was not the work of the Commonwealth, it was the consequence of the attempt of the Catholics to extirpate the Protestants in the time of James II. Ireland was rid of the intrusive Anglican establishment. Clarendon, a most unwilling witness, testifies in his *Life* in the strongest terms to the material prosperity which was developed under the Commonwealth rule, and which, if limited at first to the domain of the dominant race, would in course of time have spread. The Irish nationality which in after times gave, and is still in some measure giving England trouble, was not that of the subject but that of the dominant race. To the dominant race Molyneux and Swift appealed. The Irish parliament which in the hour of Great Britain's weakness wrested from her legislative independence, was a Protestant parliament. The rebellion of 1798 had its birthplace in Belfast.

Mr. Gardiner in the passage above quoted speaks of the intelligent policy of Henry VIII., whom he credits with having governed Ireland by rulers developed within herself. Henry VII., just seated on a tottering throne, was compelled to try something of that kind, and said that if all Ireland could not govern the Earl of Kildare the Earl of Kildare must govern all Ireland. Nevertheless by Poynings's ordinance he brought the Irish parliament under the control of the English council. If Henry VIII. tried anything like a Home Rule policy at first, he soon found it impracticable; and if he did not push the conquest like his successors, it was because his forces were absorbed by his game of ambitious folly upon the Continent. He forced upon the Catholic people of Ireland his religious innovations, adding thereby to the flames of racial those of religious war. Any idea of developing a separate Irish nationality was surely foreign to his mind.

We have just seen another nationalist movement in Ireland collapse, the people having been satisfied by land-law reform, and once more it has been proved to us that the main object of contention was not the political relation but the land.

In the case of Scotland again, Mr. Gardiner seems to condemn the unionist policy of the Commonwealth on the same ground. He deems it an ill-judged and hopeless attempt to put an end to Scottish nationality. If the union was a good thing in 1707, why was it a bad thing in 1652? There was pressure in 1707 as well as in 1652, though it was that of commercial atrophy; there was even the threat of war. Scotland, or at least her dominant party, had twice, without the smallest provocation, made war upon the English Parliament. On the second occasion the Scotch

had proclaimed Charles II. king of England and had tried to force him upon the English Commonwealth with arms. On the first occasion Cromwell, having destroyed the Scotch army of invasion, abstained from counter-invasion and from any imposition of terms upon the vanquished and contented himself with an amicable settlement. Was he after Dunbar and Worcester to put the sword back into hostile hands and allow Scotch royalist enemies of the republic and Scotch Presbyterian enemies of religious independence to make a third attack upon the Commonwealth? If you condemn a policy you must be prepared with an alternative. The freedom of the Scotch people could hardly be extinguished for the simple reason that they had not really been free; they had been the serfs of a most lawless, oppressive, and barbarous aristocracy. It is clearly attested that for the first time in the tribunals of the Commonwealth they saw the face of impartial Justice. It is not less clearly attested that the period of the union was to Scotland one of unwonted prosperity, the natural consequence of free trade with England. It is apt to be forgotten that there were then two Scotlands, the Lowland and the Highland, totally different from each other in race and language, while the Lowland Scotland was absolutely identical in race and radically identical in language with northern England. The highland Scotland under Montrose had been waging ferocious war against the Lowland Scotland, and the Lowland Scotland had failed to subdue the Highland clans. Cromwell by the hand of Monck imposed peace upon the clans and was gradually introducing among them order and civilization. Religion was in a measure set free by the Independents from the iron domination of the Kirk, and witch-burning ceased. Provisional occupation by an army was inevitable, but the strictest discipline was maintained. It is difficult to believe that the common people when they had thoroughly tasted of a government of order, peace, justice, and free trade, would have been desperately bent on returning to heritable jurisdictions, courts which had no justice for "kinless loons," bands of manrent, commercial atrophy, and Highland raids.

Mr. Gardiner invokes the memory of Bannockburn. But since Bannockburn much had happened. The two sections of the Anglo-Saxon race, united by their Protestantism, had stood together against the Armada. The Scotch had themselves proposed to Elizabeth a Scotch marriage and a union of the kingdoms. The crowns, and to some extent the nations, had been united. Englishmen and Scotchmen had conquered together at Marston Moor. Is not the talk of Bannockburn after all rather modern, like the Highland costume which, in its present form, appears to have been the work of a tailor attached to the army of General Wade? This is an age of historical revivals and of the resurrection of racial feuds. Scotch character, as we now see it, is largely commercial, and so far as it is commercial its formation must be subsequent to the Union.

New light is thrown by Mr. Gardiner on the war with Holland, the cause of which he finds, not in the Navigation Act, but in the English practice of the old rule of war which made an enemy's goods liable to

capture on board neutral ships. Behind all was the insane desire which the ruling party in England had conceived of uniting the two Commonwealths. Mr. Gardiner shows the disadvantage at which the Dutch were, as the owners of an immense mercantile marine, exposed to English attack, while the mercantile marine of England was small. Tromp is his hero; he rather disparages Blake. Blake was a student at Oxford till he was twenty-eight. He then became a politician and a soldier. He was fifty when he took command at sea. But it is not likely that the tradition of the British navy about the heroic father of its tactics is unfounded.

Mr. Gardiner is no doubt right in saying that Cromwell's ejection of the Long Parliament was popular. The Parliament had become selfish and corrupt, while its Dutch war had added to its financial embarrassments and forced it again to resort to confiscation. But the manner of the ejection and the insulting language addressed by Cromwell to men whose commission he held were most unwise and seem to show that he was not always master of himself.

Mr. Gardiner's account of the Barebones, or as he more respectfully calls it, the Nominative, Parliament, is nearly identical with that given by Mr. Masson, whose history, excellent if it were only disentangled from the biography of Milton, we must not forget in praising that of his successor. There was a conflict between a progressist and a moderate party. The progressists wanted not only to reform but to abolish the Court of Chancery and to do away with all state provision for the clergy. This was too much, and Cromwell had to give the word for abdication.

There followed the constitution embodied in the Instrument of Government. This Mr. Gardiner has duly analyzed. But we should like to see him compare its probable working, had it been allowed fairly to come into operation, with that of the party and cabinet system to which he seems to look forward as the ultimate and happy goal. He has pointed out that the Protector under the Instrument of Government was not absolute, but shared his power with the Council of State, and that inability always to carry the Council with him may account for some of his apparent vacillations.

Mr. Gardiner adheres to his view of Cromwell as a man of supreme ability and iron resolution in dealing with the actual situation; but as rather led by events than shaping them and without a determinate plan. Cromwell's original motive for taking arms had been rather religious than political. He was not a revolutionist or in principle a republican. He was always working back to something like the old constitution purged of the Stuart abuses, with a religious liberty for all Protestants and large measures of practical reform. He owed his power to the army and held it by the sword. This, Mr. Gardiner truly says, was his weakness; yet it is always to be borne in mind that no man could be farther than Cromwell from desiring to be a military despot, that circumstances compelled him, in Marvell's words, "still to keep the sword erect," that his use of the army as the support of his government was purely pro-

visional, while the army itself was not a praetorian guard, but a political party in arms; for the political character had extended to the whole of it, whatever its original composition may have been. An obstacle to general acquiescence in Cromwell's government not less serious than its military origin was its origin in regicide. The effect of *Eikon Basilikè* had been tremendous. Had Charles I., instead of being beheaded, been forced to abdicate or formally deposed and let go, he might not have been much more formidable at Breda than James II. was at St. Germain. But no cavalier, not even any monarchist Presbyterian, could acquiesce in a regicide protectorate. What boundless fury the execution of the king had kindled was seen when a man so respectable as Clarendon could countenance conspiracies for the murder of the Protector.

Cromwell's foreign policy evidently was a union of the Protestant powers under his leadership, he taking the place held by Gustavus Adolphus and by the great Protestant statesmen in the council of Elizabeth. This Mr. Gardiner thinks was an anachronism, the era of religious war having been closed by the treaty of Westphalia. But the Protestants of Savoy and France were still in need, those of Savoy were sorely in need, of a protector. Louis XIV. and the revocation of the Edict were still to come. Mr. Gardiner says that Spain had burnt her last Protestant. But Lord Stanhope witnessed an *auto-da-fé* including heretics as well as Jews on a hideous scale in Majorca in 1691, and it is believed that even in the beginning of the present century there was an *auto-da-fé* in Mexico.

The Protector's conduct in making war on Spain without definite cause or a regular declaration seems clearly to deserve Mr. Gardiner's censure. It could be explained only on the principle, practised by Spain herself, of no peace beyond the line, coupled with the notion that she was the Apollyon against whom Christian was bound always to war. Alliance with France, who was at war with Spain, Cromwell thought would enable him to protect the Huguenots.

There is a remarkable passage in the chapter comprising the negotiations about Dunkirk. "In our day a proposal to occupy a fortified post on the opposite side of the Channel and therefore assailable by Continental armies, would be reprobated by all Englishmen without distinction of parties as a wilful throwing away the advantage of the moat placed by nature round the island state." It is curious to see how deeply rooted is the idea that the British realm is an island and enjoys insular security from attack. On the American continent alone Great Britain has now an open frontier longer than that of any other military power, and instead of enjoying insular security from attack she is assailable in every part of the globe, while she is so far from being self-contained that a few weeks of blockade might reduce her people to famine.

GOLDWIN SMITH.

France under Louis XV. By JAMES BRECK PERKINS. (Boston and New York: Houghton, Mifflin and Co. 1897. Two vols., pp. xii, 496; xii, 488.)

IN his *France under the Regency*, published six years ago, Mr. Perkins promised these volumes and indicated their theme—the decay of the institutions of France and the loss of her prestige in a half-century which saw her commerce rapidly expand, her resources increase, her thought become vigorous and creative. This theme is developed in narratives of the nation's fortunes in war and diplomacy, and in descriptions of the appearance and disappearance of statesmen and mistresses during the slow years of Louis Fifteenth's ennui. Mr. Perkins has a charming way of describing all these things, which lures on one's curiosity from page to page. He has worked with the documents in his hands, and this accounts for the clearness of his impressions, and after he has acquainted himself with the elements of a story he knows how to tell it. When, however, he leaves narrative to sketch conditions of society and tendencies in the national life, his hand is not so firm. One feels the lack of perspective, of unity, of proper setting.

The remarks in the opening chapter about French indifference to local government may serve as an example of this defect. They show no recognition of the controlling influence exerted by the geographical situation of France, which, since the forces of reorganization began to be effective in the Middle Ages, constantly diminished local independence and rendered impossible a development of local government of the New England sort, which Mr. Perkins so much admires. France had no choice in the matter. The dominant fact was the sea, the Pyrenees, the Alps—her reason for unity. Deprive her of this and, like Poland, she would have become an excellent field for feudal decentralization and a destined victim for ultimate partition among neighboring states. Such a question as that of local government cannot be intelligently treated without taking account of geographical conditions.

But does not Mr. Perkins err in his statement that the majority of Frenchmen were indifferent to the delights of local self-government? If they were, how would he explain the provincial assemblies of 1787, the general demand in the cahiers of 1789 for a larger measure of local autonomy, and the embodiment of this desire in the constitution of 1791? The war against all Europe in 1793 with "federalism" in the departments, cured the French leaders of their love for the theory, and they returned by way of the representative on mission, the national agent, and the prefect, to a system of centralization necessary, however undesirable from many points of view.

The greater part of this work is filled with the story of foreign affairs, the wars of the Polish and Austrian Successions, and the Seven Years' War, with their direful consequences to the international position of France. Mr. Perkins is inclined to be contemptuous toward "shallow-pated courtiers" who mistook for grand policy echoes of Richelieu's

schemes, and toward a king who did not wish to make peace like a merchant. Indeed, he is more French than the French in his indignation over the unnecessary humiliations to which the country was subjected by reckless or stupid leadership. Perhaps this sensitiveness has obscured his view of the difficulties which confronted the French statesmen of the day. To illustrate—he contends that they continued the war of the Austrian Succession after the election of the Emperor Francis I. and the treaty of Dresden had removed all further hope for the triumph of the French policy, mainly to carry out the agreement with Spain provided for in the Treaty of Fontainebleau. To prove this he quotes from the diplomatic correspondence between France and Spain. "I have the establishment of Don Philip as much at heart as your Majesty," wrote Louis to his uncle Philip V.; and the minister of foreign affairs added, "You will see that it is all for the advantage of Spain, but His Majesty makes no distinction between the interests of the King of Spain and his own." This was exceedingly tender and polite, bnt what of it? When the French made the Peace of Aix-la-Chapelle they carried out their promise to Spain only so far as it was practicable to do this, and in spite of Spanish wrath at what was deemed a breach of faith. Moreover, in their efforts to do something for Don Philip, the French diplomatists were attempting to pursue a justifiable policy of state-building in Italy, which should substitute French for Austrian influence in the peninsula; they were not sacrificing France to their solicitude for the Spanish queen's motherly ambitions. But Mr. Perkins regards this scheme of Chauvelin and d'Argenson as untimely. Even if such a plan were not worth fighting for, much can be said in support of the view that the last campaigns of the war were necessary to conquer a tolerable peace. In fixing his attention on Marshal Saxe's brilliant victories in the Low Countries, Mr. Perkins does not seem to give sufficient weight to the fact that England had gained control of the sea and threatened with destruction the French colonies and commerce. It is worth noting that Captain Mahan believes that the condition of the sea power at the time accounts for the apparent lack of results advantageous to France that came out of the war.

Mr. Perkins remarks by way of conclusion to the instructive chapters on Dupleix and the Loss of an Eastern Empire that the failure of the French enterprises was partly due to their being undertaken through chartered companies. To support this conclusion, he relies on Adam Smith's well-known discussion. But while Adam Smith's observations are pertinent to the subject, they should not blind us to the fact that England and Holland have owed their colonial empires to just such companies. The main difference was that the English and the Dutch knew how to manage a company and the French did not. And the English, in spite of Adam Smith, are still pursuing the same policy with excellent results in Africa, of which the South African Chartered Company is a shining example.

About a third of his last volume Mr. Perkins devotes to a description of the intellectual and social changes and to the influence of literature. Here

again there is so much of interest to praise that criticism seems to argue a lack of a sense of proportion, but a word or two should be said about his description of Rousseau's *Contrat Social.* As a résumé it is well enough, but it lacks an adequate statement of the historical significance of the book. Whether Rousseau altogether intended it or not his *Contrat Social* was a counterblast to the assertion of the lawyers that the king was a sovereign absolute in his authority. The king's will has the force of law, said the legists; the law is the expression of the common will, declared Rousseau. Everything in all our states belongs to me, wrote Louis XIV.; the king is merely a commissioner who may be dismissed at any time, Rousseau replied. If his theories disturbed the placid faith of the men of 1762 in the divine right of kings, they served their historic purpose, and the question of their soundness or unsoundness is a secondary matter.

In these volumes Mr. Perkins concludes his study of the old Bourbon monarchy from the death of the most brilliant of the dynasty to the death of the most despicable. Will he also undertake the Revolution?

HENRY E. BOURNE.

The War of Greek Independence, 1821 to 1833. By W. ALISON PHILLIPS. (New York: Charles Scribner's Sons. 1897. Pp. vi, 428.)

WE take up this book with serious concern. Is it another cake half-baked to be thrown on a momentary market; or is it a just, adequate and readable account of the struggle which brought Greece back into the family of living nations? For such a history the English reader has waited hitherto in vain; and there never was a time when it was more sorely needed. If in this work the Senior Scholar of St. John's College, Oxford, has measured up to his opportunity, he is to be acclaimed and crowned.

At the outset he is disappointing. He gives the impression of dealing with his subject at too long range. The Greek sources are practically ignored. Not a word between these covers betrays any knowledge of Spyridon Trikoupes' four-volume history; while the performance of Prokesch von Osten is in constant requisition. Yet one would think the Greek statesman, describing as eye-witness and participant the uprising of his own people, were as well worth reckoning with as the Austrian minister at Athens (1834–1849), in his character *als eifrigster Vertreter der Integrität der Türkei,* compiling a diplomatic history of the struggle mainly to vindicate the Eastern policy of his master Metternich. Use is made of another contemporary history also written at Athens—that of George Finlay; but strangely enough only of the edition of 1861, although Finlay rewrote the work after that date, and for his matured views one must go to Tozer's edition of 1877. Gordon's contemporary work is cited from time to time; but Dr. Howe's *Historical Sketch* (1828), abounding as it does in most graphic first-hand portraits of the chief ac-

tors, is quoted but once (p. 171) and then under the name of Dr. S. G. *Home*. The author's main reliance seems to be Mendelssohn-Bartholdy —undoubtedly the fairest, as he is the most genial, historian of the Revolution, but in no sense a first-hand authority. Now it would seem that an Oxford scholar, undertaking even a popular account of a movement that has profoundly affected and still affects the history of Europe, might fairly be expected to go back to the original sources when they lie so near at hand.

A more serious shortcoming, however, is a certain lack of background. The Greek struggle can never be understood without a vivid view of the four hundred years of Turkish domination behind it; and this Phillips' opening chapter of eighteen meagre pages is quite inadequate to give. But even in this brief sketch it is well-nigh incredible that we have not one word about the crowning iniquity of Moslem rule—the blood-tribute of Christian children, which stirs the soul even of the phlegmatic Finlay.

It may be due to this lack of perspective in the author's own vision, that in his earlier pages he is always putting the Greeks in the wrong. Thus, in the matter of barbarity, the Greek is a butcher whose innate lust of blood is calculated to bring out the unstrained quality of Moslem mercy. The reader is not warned of the normal result of four hundred years' schooling under the Moslem—of the subjection of Greeks on Greek soil to a handful of conquerors alien and antipodal to them in race and religion and civilization, who drain their best blood for the satisfaction of their own lust and the enforcement of their lawless power—until cumulative oppression ripens its inevitable harvest in a national vendetta. Once given the historic background, and we see that in the nature of things a Greek uprising meant a war of extermination. Bearing this in mind, we can hardly acquit Mr. Phillips of something very like a perversion of history. The excesses of the Greeks are detailed with circumstance, while Turkish butcheries are but lightly touched; for example, he dwells on the bloodiest detail of the sack of Tripolitza, while he ignores the refinements of Moslem barbarity at Chios, where "even the sick in the hospitals and the inmates of the asylums for the deaf, blind and insane were butchered."

In one instance, too, there is something very like an inversion of history. Take the fourth chapter with the storming of Tripolitza as its dramatic climax; then turn to the fifth with its outline captions: "Turkish *Reprisals*—Execution of the Patriarch," etc. "*When the news of the Greek atrocities in the Morea reached Constantinople*, the slumbering embers of Mohammedan fanaticism burst into flame and raged with uncontrollable fury. Sultan Mahmoud now wished to prove by a signal example that he *took up the challenge*. In the early morning of the 22d of April the venerable Gregorios, still in his sacred robes, was led forth and hung before the gate of the patriarchal palace." *Reprisals*, indeed! What reader would suspect that the "challenge" taken up by Mahmoud on Easter day at Constantinople was not thrown down by the Greeks at Tripolitza until the October following? If *post hoc* is not

propter hoc, much less is *ante hoc;* and we prefer the clear ring of Mendelssohn-Bartholdy (I. 231): "Es [Tripolitza] war die griechische Antwort auf den Mord des Patriarchen."

Still, with all fair deductions, the work turns out to be on the whole a just and sympathetic history of the struggle. As the author advances in his task and warms to his subject the righteousness of the cause and the heroic devotion of the people win no stinted recognition. With incompetent and factious leadership, the immemorable bane of Greece, he has as little patience as Finlay, though his insight into the popular character with its heroic qualities which alone sustained the revolution naturally falls short of Finlay's. Yet his story of the heroic defense of Missolonghi could have been written only by one who felt the native mettle of the old Greek freeman still proof against the debasements of ages of subjection. In the brave and steadfast Miaoulis, the author discerns a modern Kallikratidas; and a true hero in Karaiskakes. His judgment of Capodistrias' régime is severely just, though the final estimate of his character (p. 372 f.) is generous. In all her vicissitudes Greece has hardly ever fared worse than under her own chosen president—a Corfiote Greek with a Venetian title who had risen by his peculiar diplomatic talents to be the czar's foreign minister, and who came back to Greece ready to play the rôle of a Greek czar if he could or that of a Russian proconsul if he must. It was in the latter rôle that he was first checked by the stern virtue of Miaoulis and finally by the pistol and dirk of the Mauromichales; and whatever else be said for him, the intrigues that cost his country a statesman-king in Leopold can never be condoned.

To British actors in the drama, whether in field or cabinet, Mr. Phillips metes out just praise or blame; and, if Cochrane and Church come off with dubious honors, and Lord Byron is not over-praised (p. 144), Hastings makes a very gallant figure (p. 259 f.) and Codrington at Navarino and after rises to the level of the grandest names in English naval history. Not that our author's account of Navarino is up to his best. As compared with the siege of Missolonghi, the destruction of Dramalis's army in the Dervenaki, and other vivid passages, the great sea-fight is rather baldly related, but the consequences of that "untoward event" are brought out with clearness and vigor. It is interesting to be reminded that "the *Times* referred to it as an outrage on a friendly power, as worse than a crime, as a blunder;" and that "it was argued at large whether Codrington should be rewarded or tried by court-martial." Had Canning lived and Codrington remained in Greek waters with proper support, the history of New Greece would have taken a very different course and England's position in Eastern Europe could hardly have come to be as humiliating as it is to-day. To disown Navarino as a blunder was the gravest blunder in modern history, but it was in keeping with the whole blundering policy of England in the East, and of the European Concert generally. "Nothing can be more certain," says our author, "than that if the question had been left to the cabinets of Europe, Greece would never have been freed. It was as a matter of fact to

the peoples of Europe and not to their governments that Greece owed her liberty. . . . In the settlement of the Greek question, it was England that acted as a drag on the counsels of Europe. . . . England in fact, through her anxiety to maintain Turkey as a barrier against Muscovite aggression, played straight into the hands of Russia. . . . The net result, then, of sixty years of British diplomacy in the East is that, at the present moment, every vestige of influence which England ever possessed at Constantinople has vanished, and Greece, which might have been a bulwark of British power in the Mediterranean, lies crushed and bleeding beneath the heel of the Turk."

After all abatements and in the face of present bankruptcy and ruin, Mr. Phillips concludes that "the Greeks are capable of making great sacrifices for the sake of a national ideal; and it is possible that, with a wider field on which to work, their conceptions of duty and patriotism would likewise expand. To maintain that the Greeks are, as a race, incapable of establishing and maintaining a powerful state, is to ignore the teaching of a long, if comparatively neglected, period of history. The Byzantine Empire was a Greek state, and, hopelessly corrupt as it doubtless too often proved itself at the centre, it nevertheless preserved civilization and the remains of ancient culture for a thousand years against the flood of barbarism which from the north and east threatened to overwhelm them. . . . And the Greeks of to-day are very much what their fathers were before them."

On the whole, the book is one to be welcomed as the first successful attempt to tell the story of the founding of the new Greek state—for it goes beyond the War for Independence, which ended in 1829 (see p. 236)—within the limits of a volume and in a style to fix and hold attention. From cover to cover there is hardly a dull page, while the narrative flows strongly on and rises on occasion to the high-water mark of historical style. Open to criticism as the book fairly is, the reader who follows to the end, as most will certainly do, will find in the author his own best antidote.

J. Irving Manatt.

The Sacrifice of a Throne, being an account of the Life of Amadeus, Duke of Aosta, sometime King of Spain. By H. Remsen Whitehouse. (New York: Bonnell, Silver and Co. 1897. Pp. 328.)

We are indebted to Mr. Whitehouse for a clever and interesting book, the best picture we have of the election and abdication of Amadeus, with illuminating sidelights from Italian history thrown upon the early and the later life of the monarch. Having had exceptional facilities for forming a correct judgment, growing out of his diplomatic career, the author has used his advantages well and given us a view of a pathetic life and of one of the most interesting episodes in modern history. The early life of Amadeus, his education, marriage, love of manly sports, military career, and what occurred after his return "home," his active

participation in public affairs, devotion to his brother, contempt of danger, popularity, are described with pleasing effect, making a charming biography of an admirable man, whom the tongue of slander never assailed in his varied and difficult experiences.

Poor Spain, a land of romance and conquests, the prey of ambitious rulers, ravaged by foreign armies, her people forced scores of times into wars without knowing for what they were fighting, and her internal affairs interfered with repeatedly by those who officiously assumed to dictate and control! Not guiltless herself of great mistakes and crimes, such as the expulsion of the Moors and the Jews, and the Inquisition, the intrigues and wrongs of foreigners have not been her sole grievances. She has been cursed with kings and queens ignorant, bigoted, unchaste, corrupt, and the strong monarchical sentiment has had the severest tests in the misrule and wickedness of those who impiously claimed sovereignty "by divine right." One of the latest and best known of these offenders was Isabella, who, brought to the throne when wholly unprepared for its high duties, and surrounded by intriguing and unscrupulous men, was led into such acts as aroused the indignation of her subjects. Montpensier, Narvaez, Serrano, and others, seduced her, step by step, into political and personal errors, until, under compulsion of revolution and party strife, she fled for refuge to France. A strong party, backed by wealth, prestige and political experience, was soon engaged in search for some ruler who could be accepted as a legitimate monarch. These monarchists were soon found to be in harsh disagreement as to the person to be chosen, when the Council of Ministers agreed upon Leopold, the Prince of Hohenzollern, and thus for awhile ended the contentions. While all are familiar with the fatal, but unnecessary, results of this choice—in the Franco-Prussian war, the disaster at Sedan, the collapse of the Napoleonic dynasty, the revolution in Paris—the full history of the negotiations of the Spanish cabinet, the action and the well-matured purpose of Prim, the *contretemps* at Ems, have yet to be written in the light of facts, grossly obscured and perverted in state papers, memoirs and other writings.

Leopold first accepting then declining, the negotiations, which had been broken off, were opened afresh with the House of Savoy, and Amadeus, the son of Victor Emmanuel, was called to the throne, and, with many misgivings, accepted it. Mr. Whitehouse has sketched minutely the familiar incidents connected with the attempt to transport a foreign prince from his own country to the throne of an unwilling people. Despite his personal virtues and his avowed purpose to uphold the majesty of his office and govern according to constitutional guarantees, the inexperienced king found it impossible to accomplish his wishes. Political and religious intrigues, factions, a bankrupt treasury, social ostracism, the ill health of his sensitive wife and other causes convinced him of the "barrenness of his efforts, the impossibility of realizing his aims," and firmly and solemnly, for himself, his children and his successors, he renounced the crown which had been offered him by the national suffrage.

This abdication devolved the sovereignty of the nation on the National Assembly. The Republicans, at the head of whom were men of large ability and spotless integrity, after a provisional organization and the choice of an executive *pro hac vice*, succeeded in organizing the Republic. Although the transition was easy and the revolution was accomplished without violence, or bloodshed, or violation of the rights of property, or the favoring of any wild socialistic or communistic theories, yet the difficulties of government were insuperable and soon the Republic gave way to the Alfonsists It would be a labor of love to vindicate the Republic, in its broad and enlightened statesmanship, from the persistent aspersions of prejudiced writers, but that would exceed the scope of the work under review. Not less agreeable would it be to pay the tribute of admiration to the present Queen of Spain, who redeems royalty from many of its merited reproofs, by her administrative capacity, her large intelligence, her generous charities, the purity of her life and by those womanly qualities which make her an honor to her sex.

The Evolution of France under the Third Republic. By Baron Pierre de Coubertin. Translated from the French by Isabel F. Hapgood, with an introduction by Albert Shaw. (New York: Thomas Y. Crowell and Co. 1897. Pp. xli, 430.)

This work does not purport to be strictly a history of the present French Republic. The narrative is not continuous enough, and the method of treatment is too disconnected for that. In fact, the author assumes a general familiarity with recent French politics, and the reader who has not that at command will not find the book perfectly easy to follow. The Baron de Coubertin has set to himself a newer and more interesting task, that of explaining the reasons for the course events have taken. He tries to show us why changes of ministry, which seem to the casual observer very much a matter of chance, are really the logical result of a continuous process of evolution. In this, there is much that is suggestive, though one hardly feels that the author has been in all cases perfectly successful. Surely, the fact that at times cabinet after cabinet has fallen without any sufficient reason, has been in itself the natural product of the political condition. Still the attempt to find a continuous sequence in all the political events under the Third Republic is exceedingly valuable, even if the thread at times seem attenuated.

While it is evident that the author belongs to the party of moderate Republicans which is now gaining strength rapidly among the educated classes in France, he is, in the main, just in his statements of policy, and fair in his judgment of men. He draws with an impartial hand a picture of the rule and fall of Thiers, and of the passionate struggle between MacMahon and the majority of the Chamber of Deputies. One of his few heroes is Jules Ferry, who, although never popular in the country at large, succeeded in imposing his will upon the Chamber of Deputies for a longer time than any other minister the Third Republic has had. It is,

indeed, a singular fact, and one which shows how far the parliamentary system has been from producing its normal results in France, that since the death of Gambetta no man has arisen who has been a real leader both of the Chamber of Deputies and of the nation.

The author expresses an opinion about the parliamentary system which is probably very common among thoughtful Frenchmen of to-day, when he says: "While fairly illogical in itself, the parliamentary form was better suited than any other to the century of transition, and it alone was able to guide Europe, and France in particular, from the monarchy by divine right to pure democracy." The very instability of cabinets which is commonly looked upon as a grave defect in the working of the system in France, he speaks of as the sheet anchor of the new order of things, because, he says, the French when discontented can be appeased only by the execution of a victim, and in this way the downfall of a ministry has been the means of satisfying popular rage, and thus averting revolution. He goes on to remark that the constant change of cabinets has not disorganized the administration, because a minister as a rule does not do much more than peep into the portfolio of which he is the custodian, the real work of administration being carried on by the permanent directors and heads of offices. One may perhaps be permitted, however, to question how many ministers have been sacrificed to public discontent, and how many to the mere ambitions and intrigues of groups of deputies which represent no real popular feeling at all.

In the middle of his chapters on political history the author inserts a very interesting one on "Colonial France," which will well repay careful reading. He is a strong believer in the policy of colonial expansion. In this matter he thinks the statesmen have been more farsighted than the public, who are decidedly apathetic on the subject. Yet he recognizes that the colonies acquired by the Republic are very far from being a success. This he attributes to the constant interference of the home government with the colonial administration, to its desire to extend over them the centralized, paternal, bureaucratic system of France, and in no less degree to the lack of enterprising commercial spirit on the part of the French merchants and manufacturers; in short, to the spirit of routine on the part of both government and people. He thinks that the Frenchman is not by nature a bad colonist, but that the education which he receives gives him the appearance of being so. It breaks his initiative, represses his energy, trains him to fear and obedience—in a word, shapes him to the exact reverse of what is expected of a future colonist. If this be true, to expect France to make a success of her colonies is, indeed, like expecting the leopard to change his spots.

To the ordinary reader, this chapter and the four last ones in the book which deal with education, the army, literature and socialism, will probably be more interesting than the discussion of political events. The Baron de Coubertin is perhaps a better authority on educational and social questions than on political ones; at any rate, we are not as familiar with them.

It is unfortunate that in the translation too much effort has been made to preserve French idioms. This has resulted, of course, in bad English, sometimes in sentences which are well nigh incomprehensible. On page 226, for example, this sentence occurs, "In the conservative ranks only a few rare independents expressed the indignation." On page xxxviii of the preface a passage from De Tocqueville's *Democracy in America* is translated as follows: "The ruling class of the Empire was, pre-eminently, a syndicate of protection guilty of much egotism, and with a taste which was dangerous to immobility."

A. L. Lowell.

A Students' History of the United States. By Edward Channing, Professor of History in Harvard University. (New York: The Macmillan Co. 1898. Pp. xi, 603.)

A School History of the United States. By John Bach McMaster, Professor of American History in the University of Pennsylvania. (New York, Cincinnati, Chicago: The American Book Company. 1897. Pp. 476, 31.)

The Student's American History. By D. H. Montgomery. (Boston and London: Ginn and Co. 1897. Pp. 523, lv.)

A History of the United States for Schools. By Wilbur F. Gordy, Principal of the North School, Hartford. (New York: Charles Scribner's Sons. 1898. Pp. xi, 478.)

Professor Channing's book, decidedly the best one-volume American history yet published, is admirably fitted for use as a text-book with advanced secondary classes. In the preface the author has explained that his purpose in the publication of this work is to provide a text-book suited to the needs of the senior class in high schools and academies. He believes that "the serious study of American history more fitly follows than precedes other countries and belongs to the maturer years of school life." The book is not adapted to the use of young pupils. The author assumes a considerable knowledge of American history on the part of pupils from the use of more elementary text-books in the lower grades. He accordingly omits all the stock stories and anecdotes which form so large a part of our elementary text-books. The work is scholarly, dignified and interesting. It is full of suggestions for both teachers and pupils. Miss Anna Boynton Thompson of Thayer Academy has written a chapter entitled "Suggestions to Teachers" in which she has described her own methods of teaching. These suggestions will be very helpful to the teacher if he accepts them as "suggestions" and not as rules. Some of the suggestions would be impracticable with a large class. They should prove of peculiar value in preparing pupils for the new requirements for entrance to college. Especially valuable and useful are the marginal references on every page to standard works which contain a fuller account of each topic. Each chapter is headed by a list of books, special ac-

counts, sources and bibliography, maps and illustrative material. In the last are found the names of titles of books of American literature. Everything is done to stimulate and aid a more thorough investigation by the student.

The introduction is a study of the land and its resources and shows the influence of geographical conditions in the development of the country. Of the 600 pages 450 are given to the period since 1760. Considerable space is devoted to constitutional and industrial history not found in more elementary text-books. To do this the author was of course compelled to omit many topics. The military events of the War of 1812 are described in 4½ pages. The same space is given to the period from 1775 to 1783 as to the next period from 1783 to 1789. More attention is paid to the campaigns of the Civil War. It is unfortunate that the author did not have more space to describe more fully the struggle between the French and the English for the possession of the continent. The author displays a judicial and impartial spirit in relation to all controverted questions. This is especially noticeable in the consideration of such topics as the administration of Andros in Massachusetts, the persecution of the Quakers at Boston, the effect of the English navigation laws, the character and treatment of the Loyalists and the execution of André. The maps are not numerous but sufficient, while there is a gratifying absence of cheap illustrations. The volume contains many excellent portraits. The period since 1789 is treated by topics. The old arbitrary division by administrations is properly abandoned and is replaced by the following divisions: Federalist Supremacy, 1789–1800; Jeffersonian Republicans, 1801–1812; War and Peace, 1812–1829; the National Democracy, 1829–1844; Slavery in the Territories, 1844–1859; Secession, 1860–1861; The Civil War, 1861–1865; National Development, 1865–1897. A few minor errors have escaped the proof-readers, which should be corrected in the next edition. On page 268 we read that the President in 1829 was elected by a minority vote and on page 396 we learn that Jackson was elected in 1829 by a popular majority of about 140,000. In 1825 Jackson received 99 electoral votes instead of 89, as given on p. 390. The map on p. 116, representing the original grant of Pennsylvania to William Penn, is inaccurately drawn. Gold was discovered in California on January 24, 1848, instead of January 19, as stated in a sentence on p. 453, which is inconsistent with the statement on the same page that it was discovered ten days before the signing of the treaty of peace on February 2. On p. 478 we find "seven out of every ten voters were now slaveholding whites" and on p. 502 "No doubt it is true that only one voter in seven was a slaveholder." James G. Blaine would not usually be spoken of as a "Stalwart," at least he is not so regarded by friends of Roscoe Conkling.

The chief feature of Professor McMaster's work is the excellent descriptions of the social progress of the people. About one-fourth of the volume is devoted to the following chapters: Mechanical and Industrial Progress, Life in the Colonies, The Rising West, Highways of Trade and

Commerce, Growth of the Northwest. The character of these chapters can best be shown by a few quotations. "No man in the country in 1763 had ever seen a stove, or a furnace, or a friction match, or an envelope, or a piece of mineral coal. From the farmer we should have to take the reaper, the drill, the mowing machine, and every kind of improved rake and plow, and give him back the scythe, the cradle, and the flail. From our houses would go the sewing machine, the daily newspaper, gas, running water; and from our tables, the tomato, the cauliflower, the egg-plant, and many varieties of summer fruits. We should have to destroy every railroad, every steamboat, every factory and mill, pull down every line of telegraph, silence every telephone, put out every electric light, and tear up every telegraph cable from the beds of innumerable rivers and seas. We should have to take ether and chloroform from the surgeon, and galvanized iron and India rubber from the arts, and give up every sort of machine moved by steam." "What a strange world Washington would find himself in if he could come back and walk along the streets of the great city which now stands on the banks of the Potomac and bears his name. He sees a great wagon or a white trolley car marked United States Mail, and on inquiry is told that the money now spent by the government each year for the support of the post-offices would have more than paid the national debt when he was President. He hears with amazement that there are now 75,000 post-offices, and recalls that in 1790 there were but seventy-five. He picks up from the sidewalk a piece of paper with a little pink something on the corner. He is told that the portrait on it is his own, that it is a postage stamp, that it costs two cents, and will carry a letter to San Francisco, a city he never heard of, and, if the person to whom it is addressed cannot be found, will bring the letter back to the sender, a distance of over 5000 miles. In his day a letter was a single sheet of paper, no matter how large or small, and the postage on it was determined not by weight, but by distance, and might be anything from six to twenty-five cents."

It is unfortunate that Professor McMaster did not devote his whole volume to such descriptions, which constitute the really valuable part of this work. Aside from these chapters the book differs little from the many other elementary text-books in use in our elementary schools. The political and constitutional history is necessarily very abridged, and many important topics are omitted altogether. For example the only attention which the very numerous and influential body of Loyalists of the Revolution receives is in a foot-note which says "Not all the colonists desired independence. Those who remained loyal to the King were called Tories." In the foot-notes, however, the author has given references to standard works which do much to correct this fault.

The volume contains many excellent features. The maps are good and the illustrations are interesting. The style is clear and concise, and the book is well adapted to the use of elementary classes.

Mr. Montgomery's book is an expansion of his *Leading Facts of American History*. There are 523 pages of text with an appendix which

contains the Declaration of Independence, the Constitution, a short list of books on American history, various useful tables and a list of authorities which are referred to in the text by numbers. The tone of the book is moderate and judicial. The style is clear and concise and sometimes interesting. The author treats all phases of our history, with perhaps somewhat less attention to the history of the political parties. Large attention is properly given to the influence of mechanical inventions. The maps are unusually satisfactory, and the copies of old manuscripts and letters add greatly to the interest of the book. The usual arrangement and division of the subject is followed, which is not altogether fortunate, particularly in the periods since 1789. To divide by administrations the history since the adoption of the Constitution cannot but be somewhat arbitrary and misleading. The author has wisely omitted all so-called "suggestive" questions which seldom serve any purpose other than padding. The list of authorities at the close of the volume, although chosen with great care, will we fear be seldom consulted. If the same titles had been given as foot-notes or had been arranged on the margin of each paragraph they would have done much to stimulate further study.

The author has been too generous in the use of bold type. The announcement at the head of each paragraph of all it contains often destroys the interest of the reader. These lines in heavy type occur so frequently that they divert rather than attract attention. Each chapter is closed by a summary which is sometimes useful but often unnecessary and of doubtful value. These frequent summaries and paragraph headings suggest that the book is prepared to enable the student to memorize the text rather than to serve as a guide-book for a more thorough investigation of the various problems of our history. A few errors should be corrected in the text. The original grant to the Virginia Company in 1606 extended only one hundred miles into the interior and not from "sea to sea," as represented by the map on p. 29. The Pope's division of the world is not correctly represented by the map on p. 6, which represents the line established by the treaty of Tordesillas. The line drawn by Pope Alexander was 270 leagues farther east and did not touch the continent of South America. Again, it is difficult to understand from the explanation of the text by what right Virginia could claim the Northwest Territory as no mention is made of the "west by northwest" provision of the charter of 1609. On page 51 James II. is said to have fled from England to France in 1689, which of course should read 1688. There is danger of a misconception arising from the statement on page 220 that in 1789 two of Washington's cabinet were Federalists and two were Antifederalists. The division into political parties had not then arisen. Again it is hardly exact to say, as on page 225, "The Federalists were succeeded by the National Republicans (1828) the Whigs (1834) and by the Republicans (1854) of the present time." Few readers would agree with the author that "slavery was the sole cause of secession."

On the whole the book is a decided improvement on the author's

previous history, and with one exception quite equal to any text-book of American history we have seen. It is well fitted for the use of classes studying the subject for the first time, although not altogether satisfactory for more advanced classes.

Mr. Gordy has provided a readable and satisfactory history for young students. There are abundant references and maps. The book contains almost a superfluous number of illustrations, no less than 235. Some of these are good, some poor and some inexcusably bad. There are frequent summaries in the form of chronological tables. The Dred Scott decision did not permit a slave-owner to carry his slaves into free states, as the author says, but declared that slaves could not be excluded from the territories.

A. A. Freeman.

The History of South Carolina under the Proprietary Government, 1670–1719. By Edward McCrady, Vice-president of the South Carolina Historical Society. (New York: The Macmillan Company. 1897. Pp. ix, 762.)

It has been frequently stated that the small amount of space given to the southern colonies in our text-books on American history has led people to infer that the history of those colonies is devoid of interest. That such is not the fact, however, as far as South Carolina is concerned, is amply proved by the intensely interesting and magnetic volume which has recently come from the pen of Gen. McCrady.

Gen. McCrady has had unusual advantages in the preparation of his book. He is telling the story of his own state. He is personally acquainted with the places he so interestingly describes. He has had access to the manuscript documents scattered throughout the state. That he has improved his opportunities cannot be gainsaid. He has given us a book full of absorbing interest from beginning to end. His style is racy, at times jerky, yet one that kindles enthusiasm by its snap and energy. The character-sketches with which the book abounds are thoroughly entertaining.

There are, however, several faults which mar the general beauty of the work. His adoption of a strictly chronological order of events causes us at times to lose the thread of his narrative. In his enthusiasm he at times permits historical truth to disappear before flights of rhetoric. He too frequently gives abstracts of several similar documents instead of assimilating them and giving a general truth deduced from them. We hardly agree with his statement that the "punishments prescribed for blacks were not, in general, greater than those inflicted upon white men for similar offences" (p. 361). Nor do we believe that South Carolina was regarded "as more nearly allied to the island colonies than to those on the main" (p. 4). We question the accuracy of his statement that in the other colonies, except New York, the emigrants came "in the main directly from the British Islands" (p. 8), for the population of North

Carolina and Pennsylvania was fully as heterogeneous as that of South Carolina. Nor do we think that the reason why son has so noticeably succeeded father in public life was due to the fact that divorces have never been granted in South Carolina (p. 12). The registry system was adopted solely for the purpose of ascertaining from whom quitrents were to be collected (p. 159). Finally, we do not believe that Carolina adopted her social and political system from Barbadoes (p. 8).

But perhaps the most serious general blemish is his controversial tone everywhere present. We feel that he too frequently dwells upon unimportant minor points, and is inclined to be hypercritical. It hardly seems necessary to use a page in an effort to prove that the commonly made statement that lieutenant-governors were seldom appointed on the continent was "altogether a mistake" (p. 34) when twenty-five governors of South Carolina had received their commissions from the home government and five others had held the gubernatorial chair without commission while only three had been commissioned lieutenant-governors. Nor is his list of governors entirely accurrate (pp. 719, 720). Yeamans was commissioned governor August 21, 1671, and his commission was sent him December 26, following. We are at a loss to understand what is meant by the statement that he was "proclaimed by the proprietors," April 19, 1672. James Colleton was commissioned August 31, 1686. Craven's first name was Charles, not Edward; the date of his election was November 30, 1710, and of his commission, February 21, 1711. We also doubt the correction that Beaufort was settled twenty years before Georgetown. Beaufort was not settled until the close of the Yemassee War, say 1717, whereas Georgetown was laid out in 1701. Furthermore his statement that the village of Georgetown was never referred to as Winyaw is also wrong. It is frequently so referred to.

This controversial spirit reappears continually. The author's argumentativeness occasionally becomes tiresome, especially when he refers to the proprietors. It is true that the proprietors were inconsistent, arbitrary and often unjust. But so were the settlers, and it hardly seems necessary to occupy two or three pages in criticism of the proprietors every time they are mentioned and yet have no words of censure for the settlers. Gen. McCrady seems to fail to realize the unenviable position of the proprietors, criticised by the crown for a too liberal policy toward the colonists, criticised by the colonists for desiring to line their pockets with gold, and yet endeavoring to place their enterprise upon a sound business basis.

The book is not free from errors. It states that the proprietary governors were required to give bonds in £2000 to £5000 for the faithful execution of the navigation acts and that the objection of the proprietors thereto was overruled (p. 297). While it is true that such governors gave bonds the references which the author gives state that the Board of Trade in addition desired bonds from the proprietors that their appointees would obey the navigation laws. This was what the proprietors objected to as "unnecessary," and furthermore their objection was sustained.

Moreover, this was merely an order from the Board of Trade in 1687, and not a requirement of the statute of 1696 (incorrectly referred to as of 1695). His statement that the German Lutherans "were becoming quite numerous in the colony" by 1704 (p. 404) is incorrect. There were scarcely any Lutherans in the colony at that date. Likewise he states that the first Huguenots arrived in Carolina in 1678 (p. 181), whereas several landed with Governor Sayle in 1670. He states that the patrol system was established in the year 1704 (p. 10). The system lasted, however, only during the continuance of the war with St. Augustine. It was not revived again until 1721, and what he describes is not the system of 1704, but that of 1721. Furthermore the captain of the military company acted as captain of the patrol only between the years 1721 and 1734. After that time the two officers were separate. We doubt his statement that "England claimed America as conquered territory" (p. 51), inasmuch as the Board of Trade as early as 1722 stated that England's title to America was that of discovery and settlement. Again, the charter of Carolina did not establish the Church of England in the colony (p. 67). It merely gave the proprietors "license and power" to establish it should they see fit. West and Morton are each said to have assumed the duties of governor in September, 1685 (pp. 207–210).

His statements in regard to the libraries (pp. 353–354) and the free schools (pp. 487, 510–512) are misleading. Each missionary sent out by the Society for the Propagation of the Gospel was allowed £10 for books and £5 for pamphlets. Humphreys, the secretary of the society in 1730, tells us that these libraries consisted of "Bibles, Common Prayer Books, Whole Duties of Man, Catechisms and other Devotional Books" written by Episcopal divines and in defence of the English Church. The provincial library at Charleston differed from the other parochial libraries merely in containing a few additional volumes contributed by the proprietors and a few others. The parish libraries were free to all and circulated to a very slight extent. General McCrady gives the impression that only the library at Charleston was free and that it exercised a powerful influence for good over the settlers. The extent of that influence can be understood when we remember that by the middle of the century every book in the Charleston library had disappeared. The school, as well as the library, was established by the Society for the Propagation of the Gospel merely for proselyting purposes. The Bible was the main text-book. Every pupil was obliged to learn the catechism and morning and evening prayer by heart and to attend divine worship twice on Sunday and every teacher in the school was a Church of England clergyman. Aside from the missionaries few persons took much interest in the library or the school.—We notice a large number of small errors, some of which are merely typographical.

At the end of the volume is an index occupying thirty-seven pages, remarkably full and apparently carefully prepared. We have examined it only superficially, but have noticed that although it ostensibly contains

a list of the more prominent writers on South Carolina it nevertheless generally omits those whose work is criticised in the body of the book.

The book is devoted mainly to the political history of South Carolina. We are sorry that Gen. McCrady has treated the institutional and social side of her history so briefly. It may be, however, that he intends to devote more space to these subjects in the succeeding volumes, which he intimates may follow, continuing the work to the close of the Revolution. We sincerely hope he may have sufficient encouragement to carry out his plan, for no full history of South Carolina has been written and we feel that at the present time probably no one is better qualified to undertake this task than Gen. McCrady. We hope, however, that he will avoid needless repetition, criticism and controversy.

EDSON L. WHITNEY.

The Border Wars of New England, commonly called King William's and Queen Anne's Wars. By SAMUEL ADAMS DRAKE. (New York: Charles Scribner's Sons. 1897. Pp. xiii, 305.)

Mr. SAMUEL ADAMS DRAKE has an hereditary right to deal with the pathetic story which for the border settlements of New England darkened with constant gloom and anxiety the period between the accession of William and Mary and the peace of Utrecht. His father, the late Samuel G. Drake, a well-known bookseller and antiquary in Boston, had made this a favorite subject of investigation, and had written or edited several monographs connected with it. From these and other materials gathered by his father, as well as from other sources, Mr. Drake has prepared the volume before us. That it contains little not elsewhere accessible need scarcely be added, but it brings together in a compact and popular form the whole story, comprising in one view what other historians have necessarily treated as episodes. In accordance with a familiar, but not quite accurate designation, he divides his narrative into two parts, the first entitled "King William's War," and the second "Queen Anne's War." The first covers the period from 1689 to 1697, and includes the sacking of Dover, Church's first two expeditions to the eastward, and the Indian attacks on York and Durham. In the second, from 1701 to 1711, we have Church's third expedition, the memorable attacks on Deerfield and Haverhill, and other incidents of minor importance, but all characterized by the brutality which was the inseparable accompaniment of an Indian foray.

In respect to all these events and incidents local pride and pride of ancestry have preserved a great mass of details in letters of the time and in nearly contemporaneous narratives, to say nothing of less trustworthy family traditions. From these it is possible to construct a true and graphic picture of the life of the early settlers who sought to wring from the soil their own subsistence on the outposts of civilization, and to push their farms and villages farther into the wilderness. This Mr. Drake has done successfully, and in his pages the reader will find a clear and sufficiently minute ac-

count of the two phases of the struggle for supremacy on the northern Atlantic coast, first the futile effort of the semi-barbarous tribes of Indians to force back the advancing tide of civilization which was pushing up the river valleys, and secondly the not less persistent efforts of the French in Canada to establish their own rule here and to drive out the English colonists—efforts operating in large measure through the labors and sacrifices of the semi-political missionaries of the Catholic Church. The border wars of New England were the result of this irrepressible conflict, which could terminate only with the complete and final triumph of one or the other party to the struggle. It was only when Quebec fell that the English settlers could breathe freely, and had no longer to fear either Indians or French. The early Indian fighters received a hard education, but the lessons which they learned were deeply impressed on that generation, and were not lost on their descendants who from time to time encountered like perils.

When considered merely as incidents of border warfare, where a comparatively small body of half-naked savages rushed at midnight, or in the early dawn, on insignificant hamlets and butchered the inhabitants or dragged them into captivity, in which some of the younger captives lost all regard for their own religion and all fondness for civilized life, the attacks on York, Durham, Deerfield, Haverhill and the less conspicuous incidents of the same kind have little historical significance, and might well be suffered to fade into oblivion. But when viewed under that larger aspect to which we have referred, as parts of the story of a long-continued struggle between semi-barbarism and civilization for the possession of a vast region then thinly peopled, but destined to become the seat of a great empire or to remain in a state of nature, and between two great nationalities transferring to a new world the rivalries of European policy, the story becomes of an importance which cannot be overlooked or neglected. The more closely it is studied, and the more thoroughly we understand the character and purposes of the combatants on the one side and the other, the better we shall appreciate the courage and endurance by which our heritage was won and the persistence of the savages, already weakened by pestilence and intertribal warfare, in seeking to destroy the border settlements whose existence was silently and steadily making their old life impossible. It is because Mr. Drake's small and unpretentious volume deals faithfully with this single chapter of our history, and in a way to make it attractive to the average reader, that we cordially welcome its publication.

Of the numerous illustrations something perhaps ought to be added, and we will frankly say that the loss would have been small if they had all been omitted. The wood-cuts of William III., Queen Mary, Queen Anne, Cotton Mather, Sir Edmund Andros, Judge Sewall, and others add nothing to the interest or value of the book. The portrait of Colonel Benjamin Church is a reproduction of the fictitious engraving, slightly altered from a well-known portrait of the English poet Charles Churchill, which was first published in the second edition of Church's *History of*

Philip's War, and the fraudulent character of which was exposed many years ago by the late Charles Deane.[1] The original of the portrait labelled Lord Bellomont has not been identified, we believe; but its authenticity is more than doubtful, and whoever sat for it he was probably not an English nobleman. The earliest copy of it which we have seen is a heliotype prefixed to Mr. De Peyster's *Address* on the Earl of Bellomont, and it was afterward engraved for the *Memorial History of Boston*, but it bears little or no resemblance to a contemporary engraving of the Earl now in the library of Harvard University.[2] Some of the engravings of houses are interesting, but not of much importance; and the same remark will apply to the maps. The fancy sketches, such as Phips raising the sunken treasure, and Hannah Dustan slaying her captors, are worthless.

CHARLES C. SMITH.

The Story of the Palatines. An Episode in Colonial History. By SANFORD H. COBB. (New York and London: G. P. Putnam's Sons. 1897. Pp. vii, 319.)

THE story of the Palatines received simultaneous treatment in America during the year 1897, by Mr. Cobb in the book above mentioned, and by Mr. F. R. Diffenderffer in his work entitled, *The German Exodus to England in 1709*.[3] While the latter work confines itself to the history of the Palatines (so-called) of the great migration (*Massenauswanderung der Pfälzer*)[4] to England in the year 1709, the book of Mr. Cobb follows these exiled Germans across the Atlantic to their new homes in America, tracing the steps of each successive company of these Palatines in their attempts to settle in the British dominions—the first company sent to Ireland and settled in Munster (1709); the second, shipped to Carolina under the direction of Christopher de Graffenried and Lewis Michell (1709); and the third, consisting of two detachments, one under the guidance of Kocherthal arriving in New York in the winter of 1708–9 and settling at the present Newburgh, the other larger detachment arriving in June of 1710.

Governor Hunter's disastrous experiment of tar-making from the New York pines, with the aid of the unskilled Palatines, the ultimate bolt of these Palatines for their "Promised Land," "Scorie" (Schoharie), their subsequent migration to the valley of the Mohawk and final dispersion, resulting in the withdrawal of a large number to the Tulpehocken region of Pennsylvania in 1723, are the subject of four graphic chapters entitled respectively "The Experiment," "The Failure," "The Promised Land," and "The Dispersion." The Biblical metaphor is well sustained, as they were at the beginning under the leadership of their "Joshua" Kocherthal.

[1] See *Proceedings of Mass. Hist. Soc.*, XIX. 243–245.

[2] See *Narrative and Critical History of America*, V. 97.

[3] Issued in the *Publications* of the Pennsylvania German Society, 1897, and also as a separate reprint, Lancaster, 1897.

[4] From Friedrich Kapp's *Geschichte der Deutschen im Staate New York.*

The author accompanies his book with maps of the Palatine settlements in New York and Pennsylvania, and gives at the close of the book a list of family names traceable to the Palatines of New York. The story is told in an interesting style and with much devotion to the theme, which recalls many reminiscences of the Palatines, the author's old parishioners.

In the introduction the author assigns three chief reasons for writing a book on this episode in colonial history: (1) "that it has never been written in its fulness, or with proper regard to its historical importance, (2) that much of the little which has been written about it abounds in misunderstandings and misstatements, (3) that the story, truly told, is one of such intrinsic interest and bears such relation to colonial history as to make it worthy of regard by every student of American society and institutions." This would lead us to expect an original study of this chapter of colonial history. But, glancing at the list of sources given in Note III., p. 311, one is struck with the absence of all German titles relating to the subject. Löher's *Geschichte und Zustände der Deutschen in Amerika*, Kapp's *Geschichte der Deutschen im Staate New York*, and Eickhoff's *In der neuen Heimath* are all passed over in silence. The only solitary reference to *Hallische Nachrichten* is quoted from Rupp's *Berks County*. So far has the author depended on English sources that he constructs his chapter on the history of the Palatinate with apparently no reference to the old standard work, Häusser's *Geschichte der Pfalz*, and in utter ignorance of the more recent master-work on the Palatines, *Die Pfälzer* by Riehl. After these omissions one could not expect any mention of such details as *Ausführlich und umständlicher Bericht von der Berühmten Landschafft Carolina, in dem Engellandischen America gelegen, Von Kocherthalem*,[1] Zweiter Druck, Frankfurt am Mayn, 1700; or *Das Verlangte, nicht Erlangte Canaan, oder Beschreibung von der Reise nach Carolina und Pennsylvanien dem Kocherthalen Bericht entgegengesetzt* [By M. W. Hoën], Frankfurt und Leipzig, 1711, not to mention other later works. Seventy years ago the father of American history gave the precept, learned from the Germans, and set the example of writing American history with a full command of the original sources. It seems high time that American readers and American writers of history should make it their business to command the German sources or cease to present as original what is a mere compilation from English and other secondary sources. In the case of the Palatines much important work has been made accessible in English by Brodhead, O'Callaghan, and others, but this does not exempt the later writers from examining the older sources.

Mr. Cobb's book fulfills our expectations only as a sympathetic presentation of the *story* of the Palatines, and will do much to arouse popular interest in the subject. The treatment of the early stage of the migration to England is superseded by the work of Mr. Diffenderffer, who has reprinted the extracts from the Journals of the Proceedings of Her Majesty's Commissioners for Trade and Plantations and other documents relating to the subject. The *history* of the Palatines, however, written from

[1] Note that the name is *Kocherthal*, not *Kockerthal* as Cobb writes it.

the original sources and covering the entire migration, is yet to be written.

M. D. Learned.

The Battle of Harlem Heights, September 16, 1776, with a Review of the Events of the Campaign. By Henry P. Johnston, A.M., Professor of History, College of the City of New York. (New York: Columbia Press, Macmillan Co. 1897. Pp. ix, 234.)

In connection with the memorial celebration of the battle of Harlem Heights last fall, on the site of the battle, the present grounds of Columbia University, Professor Johnston has published the above careful and scholarly account of the campaign which led up to that skirmish, and of the results of the latter upon the succeeding movements of the British and American armies. This task could not have fallen to a more competent writer. The author had already contributed largely to our knowledge of the campaign of 1776 about New York and Brooklyn,[1] and had at his disposal the co-operation of the officials of the New York Historical Society as well as that society's valuable collection of Revolutionary documents.

By a comparison of all the available original material, which is printed in full, and occupies just half the volume, Professor Johnston establishes once for all the exact site of the three successive skirmishes which constituted the battle of Harlem Heights, namely, on the present line of the Boulevard and of about 128th, 120th and 108th Streets. Earlier authorities had placed the battle some distance to the east, while Mr. E. C. Benedict had, in 1878, placed it a mile or more to the north of its true location. Mrs. Martha J. Lamb accepted his interpretation, and, in consequence, the error was perpetuated by a tablet commemorative of the battle placed by a patriotic society on the wall of Trinity Cemetery near 153d Street, and which is still there.

Beside establishing the site of the battle-field beyond all possibility of doubt, the author shows clearly how the battle of Harlem, though of slight importance considered as a successful engagement of the American with the British outposts, was in reality of great importance in "stimulating the drooping spirits of the American soldier" and "in effectually disturbing the plans of the enemy."

After evacuating Boston in March and recuperating some months at Halifax, General Howe appeared with his fleet in New York harbor toward the end of June, 1776. Debarking his army on Staten Island, he crossed the Narrows in August, and brought on the battle of Long Island. Unable to follow up his success at once, because of the skillful withdrawal of the Americans to Manhattan Island, Howe crossed the East River and took possession of the city of New York on September 15, Washington repeating his tactics and withdrawing to the northern end of the island. On the following day the battle of Harlem Heights was fought, the Amer-

[1] H. P. Johnston, *The Campaign of 1776 about New York and Brooklyn*, Memoirs of the Long Island Historical Society, Vol. III., Brooklyn, 1878.

ican outposts on the slope to the north of the "Hollow Way," now Manhattan Street, boldly advancing and driving back the British outposts on the heights south of that depression till their further advance was checked by the British reinforcements which hurried to the scene of action. The Americans then retired to the main body of their army. The real importance of this successful skirmish lies in the fact that it evidently raised General Howe's estimate of the fighting powers of the American army, and led him to avoid attacking it in a pitched battle on the northern end of Manhattan Island. He preferred to outflank Washington by moving the larger part of his army up the Sound and landing it near New Rochelle, thereby compelling Washington to withdraw most of his army from Manhattan Island, and to move inland toward White Plains, where the two armies met in battle on October 28.

The effect of the victory at Harlem upon the American leaders explains their plans for the subsequent campaign. It raised their hopes of successfully resisting the royal troops, and largely influenced Washington to leave a garrison of 2,500 men in Fort Washington and the neighboring redoubts, while he retired northward with the main army to White Plains. The easy capture of Fort Washington by the British about a month later showed how seriously Washington had overestimated its strength and underestimated the aggressive power of Howe's army. In a word, the battle of Harlem, with the movements before and after, illustrates well the general success and the one distinct failure of Washington's generalship, the former in avoiding being crushed by an enemy who outnumbered him and skillfully withdrawing his army to more inaccessible points; the latter by allowing himself to be persuaded to separate his army and leave a considerable body to certain capture at Fort Washington, the loss of whom, at that time, was a most serious injury to the American cause.

J. C. Schwab.

The Westward Movement. The Colonies and the Republic West of the Alleghanies, 1763–1798. With full cartographical Illustrations from contemporary Sources. By Justin Winsor. (Boston and New York: Houghton, Mifflin and Co. 1897. Pp. viii, 595.)

This, the last contribution of Justin Winsor to history, is monumental in its erudition and is a work of the highest importance to students of the beginnings of the West. In a volume of nearly six hundred pages, every page resembling a frontiersman in its sinewy freedom from anything like superfluous flesh, the author has traced the westward advance from the close of the French and Indian war in 1763 to the last years of the eighteenth century. It is unnecessary to point out that these were years full of events in western history. They include the development of the policy of Great Britain in respect to the West, after the expulsion of France; the exploration and settlement of Kentucky and Tennessee;

Lord Dunmore's war and the Revolutionary war beyond the mountains, including the memorable conquest of the Northwest by George Rogers Clark; the intrigues of France and Spain to restrict us at the peace to the Alleghany and Ohio boundaries; the British policy in the retention of the western posts and in respect to the Indians; the Ordinance of 1787 and the settlement of Ohio, with the accompanying Indian struggles; the efforts of Spain to hold the Southwest and to exclude the frontiersmen from the navigation of the Mississippi; her attempts to seduce the frontier leaders from their American allegiance; the attempts at independent states in Kentucky and eastern Tennessee; the efforts of Genet to use the Kentucky backwoodsmen in an attempt to seize Louisiana for France; the securing of the Northwest by Jay's treaty and Wayne's victories, and the acquisition of freedom of the Mississippi by Pinckney's treaty. On all these topics Mr. Winsor is full of information.

Every one of these subjects bristles with historical difficulties. They have been studied by special students in extended works; but it is safe to say that never before has the whole field been surveyed with more minute care. Mr. Roosevelt has covered substantially the period in nearly four volumes, or about eleven hundred pages. The aims of the two writers and their ideals are, however, in clear contrast. Mr. Roosevelt is mainly interested in the manners, customs and institutions of the frontiersmen, and in the campaigns of their great leaders. He gives a flowing and picturesque narrative of the movements of the backwoodsmen, with generalizations on the relations of these movements to world-history. He makes a large use of the manuscript material for his subject in American collections, and he is little concerned with the events in Congress and in the back country of the Middle States. Mr. Winsor was, on the other hand, first of all the librarian, keenly and critically searching the printed works for separate items of historical information in the whole field. For example, his treatment of the Revolution in the West, in contrast with that of Mr. Roosevelt, shows the wider range of Mr. Winsor's treatment of the subject. He loved an abundance of facts, and he knew the uses of the card catalogue. He lacked the artistic instinct, he was wanting in that historical imagination which fuses the separate elements of historical knowledge into a single and pleasing presentation; his classified cards are always in sight. The result is that Mr. Winsor's work is a thesaurus of events for the student, rather than a history for the general reader. His work is essentially monographic, and yet by a most regrettable policy, Mr. Winsor, librarian though he was, has omitted, except in the rarest cases, to cite the authorities for his statements. It is true that where every page teems with historical facts, drawn from a wide variety of sources, such citation would be particularly cumbrous; and yet, by omitting them, he deprives those readers, whose needs the work is best fitted to serve, of the means of using his material, of testing his statements, and of reaching satisfactory conclusions regarding the relative contributions of the author himself.

In a work of this nature there is little to be said of the general historical conclusions of the author; the criticism must relate rather to the

correctness of his specific statements. At the same time, it must be said that the grouping furnished by the separate chapter-headings reveals a system and a sweep of view that show that Mr. Winsor might, with a different policy, have elaborated his conception of the westward advance into a philosophy of the movement. He prefers to allow his classified events to tell their own story; and it is important to note that it is events rather than institutions or ideals that he considers.

The work gives some indications that the author's final revision, of style particularly, was not as complete as he no doubt would have wished to make it. In illustration, it may be pointed out that his sentences sometimes say the opposite thing from that which he intended. In writing of the "growing influence of the anti-Quaker element in the province" of Pennsylvania, he says, "It was to this latter conservative and sluggish faction that the Germans mainly adhered" (page 12). Speaking of slavery he says (page 289), "Jefferson's preliminary ordinance of 1784 *had* rooted it out of every part of the trans-Alleghany region, though this section had received only the vote of six states when seven were required." It is misleading to use the words "preliminary ordinance" of Jefferson's draft (which, by the way, was not to go into effect until 1800), and although the careful reader will see that the intention is to say that the draft was changed, yet the words do not convey that meaning. Other examples of loose expression are the following: "Jay, who had been chosen minister to Spain (October 4), to enforce its claim to the Mississippi." On page 201, the careless use of the pronoun "they" gives the impression that a large party was ready to yield western New York, and in general the region beyond the Alleghanies, on the demand of France and Spain, at the close of the Revolution. Fortunately he cites here his authority, a proposition of Gouverneur Morris, who was well known as an opponent to western ideas.

At times, Mr. Winsor seems to attribute to the pioneers motives, based upon events in the East, for which there is not sufficient evidence. His work in connecting the eastern and western influences upon particular events is valuable, but it is overdoing the matter to say (p. 7), "The immediate struggle over the Stamp Act, which was closed by its repeal in 1766, produced, for a time at least, that political quiet which induces enterprise. The attention of the pioneers was again drawn to the western movement." A writer more familiar with the spirit of the backwoodsman would not have made that statement. Nor is it easy to see how Mr. Winsor, after the attention which he has given to the influence of the fur-trader in Canadian policy, could regard the extension of the boundaries of Quebec by the well known act as directed by an ulterior aim, to which the needs of the fur-trade served merely as a cloak. The Canadian archives as studied by Professor Coffin, in his monograph on *The Quebec Act and the American Revolution*, show how important the Indian trade was considered by the British officials in their correspondence on this topic. One of the most curious illustrations of the author's apparent ack of understanding of the fur-trade occurs in his discussion of the

boundaries provided by the treaty of 1783. He describes the boundary on the northwest as in part the Grand Portage (pp. 220, 239), when in fact, it was precisely because the Grand Portage was, by a British misconception, no doubt, left wholly within the limits of the United States, that the Canadian traders were so discontented with the limits. Perhaps this, as much as any single element, sharpened the traders' appeals to the home goverment which were so influential in inducing Great Britain to retain the western posts. For a cartographer of Mr. Winsor's ability, this is a remarkable misunderstanding. Similar slips may be instanced in his treatment of the projects for cutting the West into new states. He confuses at times the petitions of the people of West Virginia proper, with the petitions from Kentucky and from the State of Franklin (pp. 245, 341). In his account of the Ordinance of 1784 he attributes to Jefferson the intention to make fourteen states in the West, adding territory south of the 35th parallel and east of the falls of the Ohio to South Carolina and Georgia (page 258). But the evidence for this probably rests on the letter of Congressman David Howell, not cited, and Howell gives his own interpretation. It is not unlikely that Jefferson favored this adjustment of boundaries, but his plan does not warrant Mr. Winsor's statement. It is possible that Mr. Winsor relies on the contemporaneous map given opposite the page of the text cited, which he describes as showing "the proposed divisions of the western territory under Jefferson's ordinance of 1784, with the caution that "Franklin is misplaced." But not only is Franklin misplaced, the boundary meridians are completely wrong, and the map is as deceptive as could well be. If any errors in it were to be pointed out, these should also have been.

The Ordinance of 1787 receives considerable attention in the volume. Mr. Winsor is not impressed with its effect upon the destiny of the Northwest; he finds the real exclusion of slavery from that region rather due to "the constancy of a later generation" than to "an ordinance which was never in its entire provisions effective, which had been annulled by the adoption of the Constitution and substantially re-enacted by the first Congress." But in compensation for this attitude he attributes to the Ordinance an important effect upon the Constitutional Convention. As the view appears to be original, it is well to present it in Mr. Winsor's words:

"The federal convention, just at this time sitting in Philadelphia, was seeking to find a way out of a dismal political environment. It needed, in one aspect, the encouragement of just the outcome which a copy of the perfected ordinance, as printed in a Philadelphia newspaper on July 25, afforded. The bold assumption of Congress to regulate the public domain was a stroke which helped the convention better to understand the relations of the states to the unorganized territory in the West. The enlarged condition which the new ordinance gave to the future problem of western power, and its effect on the original states, clarified the perplexities which had excited in the convention the apprehensions of Gerry and others. The influence which the new outlook had upon the different members was naturally in accordance with their individual habits of mind."

Then follow quotations from the speeches of Morris and Mason with regard to the rights and privileges of western states, and the inference is that the advocates of western rights derived their strength in some degree from the provisions of the Ordinance. But Mr. Winsor here overlooks the fact which he had already shown, that the essential principles of the federal territorial system had been early stated, and that they had been formulated in a way even more conservative of the power of western states in the ordinance of 1784. Moreover, the most critical debate in the Convention over the new western states was that in which the question of the congressional representation of new states as compared with the original states was agitated. In that debate the views of Mason and of Morris were clearly presented as early as July 5, and again on July 11. The publication of the ordinance noted by Mr. Winsor on the 25th of the same month could therefore have had no influence on the attitude of these speakers, and the votes on July 5 and July 14 showed that the Convention was not disposed to deprive the western people of their equal rights. It will be remembered that the ordinance was not reported in Congress, sitting in New York, until July 11, and that it was adopted July 13. The journey between these cities at that time took about two days, so that it is improbable that the ordinance had any effect on the vote of the Convention on representation, even if it were sent as soon as reported, instead of being made known by the publication above mentioned. The vote in the Convention following the speech of Mason quoted by the author was one on August 29, by which a clause providing that "new states shall be admitted on the same terms with the original states" was stricken out. So if the ordinance had an effect on the Convention, it would seem to have been opposite to the interests of the West.

When an author has covered so wide a range with such minuteness as has Mr. Winsor, it will perhaps seem improper to object that he has made little or no use, so far as the book gives evidence, of manuscript material in the archives particularly of France and Spain, upon important diplomatic relations between those countries and the United States in respect to the West. Mr. Winsor shows the dangers of this neglect, however, in his treatment of such an important subject as the effort of the French government to secure Louisiana and the Floridas in the period of Genet's mission. As the recent reports of the American Historical Manuscripts Commission show, there is an abundance of material to explain the aims and the detailed plans of the French and the Spaniards in the archives of those countries; but Mr. Winsor contents himself with using a few of the secondary authorities, and he quotes, with evident regret at its meagre information, the journal of Michaux, which furnishes hardly more than an itinerary, valuable chiefly in its relation to the French archives and to the Draper collection of George Rogers Clark papers. It is hard to understand why such a student as Mr. Winsor should content himself with a regret over the paucity of information on such a subject when the whole wealth of these archives was open to him,

and it is a striking illustration of the strange neglect of archives by the recent American historians.

Space makes it impossible to speak of the contributions of the author to the many other topics that lie within the compass of the work. There is no one of them on which he has not added information, diligently sought in many books of printed collections. His information is comprehensive and exact, as a rule, and if the present reviewer has rather pointed out minor defects than dwelt upon the great merit of the book as a whole, it is because it is difficult to praise such a work in other than general terms. When all minor criticisms on detail have been made—and in a work so abounding in statements of fact it is remarkable how few such criticiams must be—the book remains a splendid proof of the immense research of its author, of his skill and fairness in dealing with a multiplicity of detail, and of the continental breadth of his view. To have edited the *Narrative and Critical History of America*, and to have followed that by the series that begins with Columbus and ends with the *Westward Movement*, is to have established his ability in so wide a range of fields, requiring such stores of knowledge, and such a diversity of historical equipment that Winsor cannot but be granted a position among the first of American historians.

FREDERICK J. TURNER.

Contemporary American Opinion of the French Revolution. By CHARLES DOWNER HAZEN, Ph.D., Professor of History, Smith College. [Johns Hopkins University Studies in Historical and Political Science, Extra Vol. XVI.] (Baltimore: The Johns Hopkins Press. 1897. Pp. x, 315.)

MR. HAZEN'S book is naturally a compilation, but it is a successful one. He judiciously divides his subject into two parts: I. The Opinions of Americans Abroad; II. The Opinions of Americans at Home. In the first, he presents the views of Thomas Jefferson, Gouverneur Morris, and James Monroe, who were successively our representatives in France. Of these three chapters, those on Jefferson and Morris are the most important, for Monroe did not reach France until after the Thermidor, and, moreover, the nature of his tenets disqualified him for the rôle of a dispassionate critic.

Mr. Hazen has ably depicted Jefferson's attitude toward the French Revolution, and has shown the historical inutility of his much-quoted *Autobiography* by comparing it with his letters. The memoranda given of Jefferson's tour through France in 1787 are instructive. Until recent years, our knowledge of pre-revolutionary rural France has been derived largely from the *Travels* of that observing agriculturist, Arthur Young. Jefferson, however, throws a little light upon a subject lately illumined by Champion in his *La France d'après les Cahiers de 1789*. The picture given by the American minister is by no means joyous, but it is far from terrible. In 1789, Jefferson sailed for home, believing that the French Revolution was practically over.

Morris, who arrived in the same year, found events moving too rapidly. His conservatism forced him into a strange rôle—the minister of the Great Republic, he preached incessantly moderation; for he perceived that Frenchmen, in their political childhood, could not safely march to liberty *au pas de charge*. Mr. Hazen corrects Taine, who gives to Morris's expression, "Autorité is a name, not a real existence," the date of July 19, 1789, in a letter to Washington. The author proves it to have been written on July 1st in a letter to Jay. The latter date would show political acumen on the part of Morris, for on July 1st the Bastille still stood, and "Broglie the War-God" was fulminating on the Champ de Mars.

It is well known that the American Revolution was potent in beginning the revolution in France, but, perhaps, not so generally recognized that the French Revolution, once begun, was, in its turn, dominant in America. This Mr. Hazen has forcibly shown in the second part of his book. The first trumpetings of liberty in France sounded across the sea, and a nation, newly-emancipated and grateful for past aid, ramped in response. The tricolored triumph of Genet fanned the popular flame; the Marseillaise thundered in the streets of Philadelphia; literature and the drama caught the echo, and the politicians fought in our capital the battles of the Jacobins and Girondins. Naturally with the growth of atheism in France and the enormities of the Terror an American reaction set in. All this the author has portrayed in a scholarly manner, adding a valuable bibliography.

Mr. Hazen's research is thorough, his interpretation lucid. His work has a distinct value both for the student of the French Revolution and for his fellow-worker in the contemporary American period.

JAMES EUGENE FARMER.

Nullification and Secession in the United States. A History of the Six Attempts during the First Century of the Republic. By EDWARD PAYSON POWELL. (New York and London: G. P. Putnam's Sons. 1897. Pp. xi, 461.)

THIS book purports to be a history of six attempts at nullification and secession in the United States. It consists of eight rambling chapters, each of which is followed by an appendix containing documents apparently selected at random. The first chapter deals with the formation of the Union, and the last with the danger to the permanency of the republic. The six intermediate chapters discuss what the author regards as the six overt acts of disunion, viz., the nullification resolutions of 1798, the plot for a Northern confederacy in 1803–4, Burr's attempt at cleaving the Union in the Southwest, New England nullification in 1812–14, South Carolina nullification in 1832, secession in 1861.

The author states that his work was written for a purpose. It was his desire to state facts as viewed from a strictly national point of view, and to aid thereby in creating a more generous national sentiment and a

conviction that political righteousness has not been the exclusive property of any one part of the United States. His principles and conclusions are all the most loyal supporter of the Southern view of the Union could wish. He belittles the Federalists and their achievements, classes Hamilton with Burr, extols Jefferson, justifies the Virginia and Kentucky resolutions, and smooths over the nullification and secession movements. He upholds the compact theory of the Constitution, denying that the Supreme Court is the final arbiter, and accepts and extends the historical theory of the Constitution advanced by Mr. Lodge and supported by Professors Channing and Woodrow Wilson. His views are perhaps sufficiently indicated in the summary of his discussion of secession. The final attempt at secession was "the result of the drawing of a geographical line, on opposite sides of which the attempt was made to sustain diverse and conflicting forms of labor. There grew up institutions and customs, theories, and sentiments so entirely opposite that opposition must express itself with constantly increasing bitterness. Separation had been suggested on either side with about equal frequency; nullification of Congressional acts had been undertaken on both sides; nor had the Supreme Court been held by either the North or the South as final arbiter. State rights had been affirmed by Northern as well as by Southern states, and there was no difference as to the principles of state integrity and state sovereignty. The North would have separated from the South had not the South undertaken to secede from the North" (p. 366).

Mr. Powell has not made a substantial contribution to our literature dealing with the nature of the Union. He has said nothing new that will stand criticism, and has not given an especially forcible presentation of views familiar to students. It astonishes one to find that he dignifies Burr's conspiracy as an attempt at secession and that he makes so much of the plot of a few irresponsible disgruntled New England politicians in 1803–4. Part of Chapter I. and its appendix, and all of Chapters III. and IV. with their appendices should have been omitted. The book as a whole is unscientific, unbalanced, illogical and partial. The weak criticism (p. 375) of Dr. von Holst's proposition that the states by accepting the Constitution fused themselves thereby and at once into a nation; the contention (p. 67) that Virginia distinctly reserved the right to withdraw from the Union; and the statements that it was the Mrs. Eaton episode which hurled Calhoun back on South Carolina and sectionalism (p. 283) and that the deep cause of South Carolina's action in two rebellions was state character (p. 285), are typical. The work cannot be regarded as a history at all; it is rather a series of crude essays. It will scarcely interest the general reader and cannot be of value to specialists.

David F. Houston.

The Life and Correspondence of Rufus King, Comprising his Letters, Private and Official, his Public Documents, and his Speeches. Edited by his Grandson, CHARLES R. KING, M.D., LL.D. Vol. IV., 1801–1806. (New York: G. P. Putnam's Sons. 1897. Pp. xxi, 599.)

THE fourth volume of the present work is full of valuable material and confirms an earlier impression that this collection is one of the most important select contributions yet made to the materials for the writing of American history. For some reason King seems to have drawn from his correspondents a peculiar quality of frankness, for no series of letters which have passed under our eyes contain such outspoken views on whatever they touch upon. The most curious tone observable throughout is that already commented upon in the review of the third volume. Throughout the work there is a note on the part of the Federalists of pessimism towards the future of democracy, and towards the capacity of the people for self-government, that is truly astonishing when it is borne in mind that at the moment when these letters were written the United States was almost the only country in the world at peace; that her people were growing rich by agriculture and commerce, that her national debt was being paid and her treasury overflowing. Thus the best that Ames can suggest is that "despair should not be confessed—still less circulated;" and he adds, "we are now in the Roland and Condorcet act of our Comedy. Whether we go on to Danton and Robespierre acts depends on time and accident." King himself asserts that he will not "despair of the public welfare, provided the judiciary is maintained." Hamilton "is in utter despair of the system!" and looks forward to "a serious commotion, and that at no very remote period!" adding elsewhere, "the prospects of our country are not brilliant." Sedgwick in explanation of his retirement says that he should "never have abandoned the government but from the most complete conviction that the people would make an experiment of democracy." Troup thinks he has said enough when he remarks, "things are according to the natural destiny of the government, and I see no reason to suppose that they will alter." And Jay writes that the present times teach us "the capital vanity of expecting that, from the Perfectability of human nature and the Lights of Philosophy, the Multitude will become virtuous and wise, or their Demagogues candid and honest." The dread of democracy is the recurrent note endlessly dwelt upon. "The aristocracy of virtue is destroyed; personal influence is at an end," groans Sedgwick. "Our system is just where it is by nature destined to be—in the hands of demagogues," is Troup's version of the same complaint. "The mass is far from sound," Hamilton asserts, and Gore predicts "deep misfortune" for "the rude and uncultivated minds of those who will soon have such a preponderating influence in our Federal politics." It is amusing to note the Federalist bewilderment over this condition, and over their own helplessness. The superiority "of the Federal Character, in Congress and the

Newspaper," is maintained by Cabot; and again he recurs to this when he writes "there has never been a period when the Federal Cause was maintained with more good sense and dignity." None the less, Hamilton writes that "I as yet discover no satisfactory symptoms of the revolution of opinion in the *mass*;" while John Quincy Adams goes so far as to say "the power of the administration rests upon a support of a much stronger majority of the people throughout the Union than the former administrations have possessed, since the first establishment of the Constitution," and of the Federal system he writes, "the experiment, such as it was, has failed; and to attempt its restoration would be as absurd as to undertake the resurrection of a carcass seven years in its grave." The remedy for this unendurable peace and prosperity Ames finds in outside danger, and claims that "we need, as all nations do, the compression on the outside of our circle of the formidable neighbour—whose presence shall at all times excite stronger fears than demagogues can inspire the people with towards their government." Yet, bad as things seem to the Federalists, and puzzled as they are to imagine why the small intellectual classes should have been retired from power, they none the less recognize an occasional merit in the system; as Troup, when he finds "a great source of consolation" to be that "the republican system" does "respect the rights of property;" and Jay, though he considers that "if these are not upside down Times, they are certainly up and down Times," yet adds a side compliment to democracy and the masses when he writes that "Athens, the city of philosophy, and Rome, the city of everything, saw and felt much worse."

Turning from this curious psychological study of intellectual pessimism which constitutes the chief flavor of the work, there is much that is interesting. At the very time that the American officials, yclept demagogues, to whom the people had confided the government, were borrowing money on which to live during their term of office, and retiring from those offices poor men, and in some cases bankrupts, we find a picture of European stock-jobbing through international politics, in which the very greatest of the ministers were concerned, and out of which Talleyrand is said to have himself made two hundred thousand pounds in one transaction. Of King's negotiations in England, though probably no American minister has stood in such friendly relations with any particular government (except Franklin at the French court) he himself is forced to state that "they are often discouraging and sometimes disgusting;" and when Monroe succeeded him the condition became even worse, the new minister taking pains to keep himself ignorant of all European conditions, and carefully avoiding official circles in England. This conduct, combined with the discomfort and mistreatment endured by Merry in America, were enough in themselves to create ill feeling between the two governments, and only serve again to show how important the personal relations of diplomatic agents come to be. In connection with Louisiana we find King asserting that the United States is "the first power in our own hemisphere." On impressment there is much, the most impor-

tant being King's conference with Lord St. Vincent, in which the astonishing statement is made by the former that the whole of British impressments at the time the conference was held (May 13, 1803) were not more than enough to "man a single ship." There is more that is interesting on the attempted slave colonization which grew out of the Virginia insurrection of 1801, and considerable in relation to the fast-and-loose conduct of Aaron Burr towards Federalists, Hamilton going so far as to say that "our friends in Congress" were "polluting themselves with the support of the second personage for the Presidency." Gore writes that the English government are particularly nervous over Fulton's diving machines and torpedoes, as well as over the rumor that he was constructing and using a boat that was designed "to work against the stream." Anent the press of the day we have the wail of Livingston, who complains that he is being called "a fool, a lunatic, a minion, and a great many other things equally well calculated to cure me of vanity, and to raise the reputation of the country which has for upwards of thirty years successively employed me in high and confidential offices."

As in the former volumes, the editorial labor is commendably done, and we note but one typographical error, aside from that corrected by an insert, the use of the name Warmely, at page 43, for Wormely.

PAUL LEICESTER FORD.

The Life of Charles Jared Ingersoll. By his Grandson, WILLIAM M. MEIGS. (Philadelphia: J. B. Lippincott Co. 1897. Pp. 351.)

THE subject of this admirable little biography was a remarkable man —an intense American, a true believer in the capacity of the people to rule themselves, an active participant in public affairs upon occasions between 1812 and 1849; an historian as well as a statesman, an orator as well as a lawyer; a man of marked eccentricities, but of bold and original views. His career is of general as well as special interest, for he was full of fire and aggressive force, and contributed in no small degree to the development of our national self-assertion and self-reliance at critical periods. At times impulsive and indiscreet, he was always salient and fearless. His talents were of a high order, and his exertions never failed to command attention.

Although it is more than thirty years since his death, and therefore all personal recollection of him has been largely lost, yet the perpetuation of his memory is a worthy object, and the author has accomplished with skill and judgment the difficult task of reviving interest in his career. The book displays research, care in statement, good temper, impartiality, and an agreeable style. It will attract even those unacquainted with Mr. Ingersoll's name. It is an interesting contribution to our biographical literature. It enlarges, too, the general knowledge of the part played by Pennsylvania in Congress in sustaining the War Party in 1812, and traces with some minuteness the growth of an American spirit in letters, as well as politics.

Charles Jared Ingersoll was of respectable English ancestry transplanted to Massachusetts, and later to Connecticut. His grandfather was a graduate of Yale, and became a distinguished lawyer. In 1759 he was sent to England as agent for the colony of Connecticut, and to his report we owe the preservation of Barré's brilliant oratory in reply to Townshend—so dear to the school-boys of America. Some years later he lost his popularity by acting as stamp collector, and narrowly escaped violence at the hands of a mob at Wethersfield.

Jared Ingersoll, the younger, the father of the subject of the book, was also a distinguished lawyer, bred in the Middle Temple, and later one of the leaders of the old bar of Philadelphia, a framer of the Constitution of the United States, a candidate for the vice-presidency on the Federal ticket in 1812, and at his death a judge in Philadelphia. Here, in 1782, Charles Jared Ingersoll was born; his mother, Elizabeth Pettit, being the daughter of a Continental congressman.

Young Ingersoll was soon introduced to distinguished company, and met many of the leading men of the day. While quick in learning, he lacked application, and left Princeton owing to some dispute with the authorities, but not involving collegiate censure. He travelled somewhat in his own country, wrote a tragedy, contributed a poem to the *Portfolio*, and was admitted to the bar while not twenty years of age. He then went abroad, and formed an agreeable and useful connection of intimacy with the well known Rufus King. In Paris he contracted strong Gallican sympathies, which, with what he saw later in England, gave him a bias which materially affected his subsequent public views. On his return he devoted himself sedulously to the labors of his profession, and served for a time as clerk of one of the courts.

In 1808 he published a pamphlet entitled *A View of the Rights and Wrongs, Power and Policy of the United States of America*, and fearlessly criticised the tendency to admire everything English at the expense of America. His views were regarded by many as audacious as well as peculiar; but, daunted in no respect, in 1811 he published *Inchiquin, the Jesuit's Letters*, a spirited defense of American character, a book which created a stir in those days, provoking the attack of the British *Quarterly Review*. By this time he had broken away from the views of the strict Federalists, and it is not surprising to find him uniting himself most ardently with the "War Hawks" and sustaining, by voice and pen, the war measures of Madison. In the fall of 1812 he was elected to Congress at the age of thirty, but so youthful in appearance was he that he was denied admittance by the door-keeper. Here he spoke with great freedom and met with plainness Mr. Webster's views of New England opposition involving threats of disunion. He spoke also upon the draft of the militia, upon the loan bill, and the right of search, and poured forth a torrent of invective against the English for their inhuman use of their Indian allies. He insisted upon the regulation of the British extension by construction of blockade; upon a limitation of their inordinate catalogue of contraband; upon no search for men, and upon a

qualified ascertained and moderate search for things. He collided severely with Stockton, of New Jersey, and maintained himself with commendable ability. We cannot too much admire this portion of his career. It deserves the study of all those students, even in New England, who, under the lead of Schouler, are willing to throw aside local prejudices and examine questions broadly.

Failing to secure a re-election because of the defeat of his party, Mr. Ingersoll retired in 1814 from the arena of Congress to assume the duties of United States district attorney, succeeding Mr. Dallas, who had been appointed Secretary of the Treasury. He held his place for fourteen years, a term of service never equalled by any other district attorney, and entered upon a long period of great activity at the bar. He was a hard worker, and a dangerous opponent, and there are many traditions repeated by very old men of his brilliancy and force as an orator. He corresponded actively with Madison, Monroe, Dallas, Rufus King and Richard Rush, then minister to England, and gave to the last named, in the form of a diary, a most lifelike series of sketches of men and events which are valuable as contemporaneous portraitures of the time. At the same time he delivered and published historical commemorative addresses. He advocated internal state improvements, canals and roads, and was far in advance in support of railroads, then of unknown merit. He took high ground in favor of the tariff, and at the same time was in favor of extending our commerce with foreign countries by exchanging commodities on the basis of equality, thus anticipating in a high degree the reciprocity of our day. In 1830–31 he served a single term in the state assembly, and was an unsuccessful candidate for the Senate of the United States. He became an ardent supporter of Jackson, of whom he said: "by the master stroke of a mere toast he *nullified the nullification* he was invited to magnify;" and this, notwithstanding the fact that he had been removed from his office of district attorney by Jackson, because of charges which he subsequently met with success, and notwithstanding his difference of view as to the Bank of the United States. The part Mr. Ingersoll took in the burning questions of the day is well and clearly told, and the development of his views upon matters of finance is sketched in strong lines. In 1837 he was a member of the state constitutional convention, and addressed himself to the improvement of the public school system, and the judiciary. The latter, he argued, should be "independent but not irresponsible." He fought the doctrines of the Dartmouth College case in the matter of corporations, and also took strong ground against inconvertible paper money. As a hard-money democrat he was defeated in 1836 for Congress, but was successful, after an intermediate defeat, in 1841. For eight years he held his place, and took a leading part in the discussion of the Federal-Treasury system, the banking system, Texas and the Mexican War, slavery, the disputes with England over the case of the Caroline, the Oregon boundary, and the Northeastern boundary. He served on the judiciary committee, and was chairman of the committee on foreign affairs. He strongly advocated

the annexation of Texas, and argued against the views of Abolitionists as fraught with ruin to the country. On this point his biographer defends him against the views of Schouler and Von Holst. This portion we consider the least satisfactory of the book. In the case of the Caroline and the boundary disputes he scourged the timidity of Webster, and later came into direct conflict with him, charging the improper retention and expenditure of public funds belonging to the secret service. Upon this matter he preferred charges, which an investigating committee, while perfunctorily exonerating Webster, left open to the inference that they were not unfounded. It was unfortunate that the attack was made; it is an instance of Mr. Ingersoll's indiscretion, for whatever the foundation the fact remains that Mr. Webster was too important and influential a character to be publicly immolated. Mr. Webster's escape was largely due to the action of Jefferson Davis. In the spring of 1847 Mr. Ingersoll was nominated by Polk for the French mission, but failed of confirmation in the Senate, on the representation by Webster that his success would be an endorsement of the charges against himself. With the expiration of the Thirtieth Congress Mr. Ingersoll retired from public life at the age of sixty-seven, and devoted himself to the practice of the law, and to historical work. He published a *History of the War of 1812*, a volume of *Recollections*, and a pamphlet upon *African Slavery in America*, aiming to avoid the fermentation of excitement. He spent much time in the company of exiled French officers who sought, with Joseph Bonaparte, an asylum in Philadelphia—Grouchy, Clausel, Bernard, Desnouettes, Vandamme and others. The well-known Mrs. Maury gives charming descriptions of his attractive personality, while Judge Sharswood and others describe him as an extraordinary advocate at the bar. He affected some oddities in dress, but was always welcome in society as an interesting talker. He deprecated late in life the abolition movement, and advocated the election of Breckenridge and Lane, but when the shock of war came he approved of Mr. Lincoln's call for volunteers and was a friend of the Union, while disapproving of ultra measures. But he was an old man, who had long outlived his contemporaries in active life, and expired in 1862, when nearly eighty years of age.

Mr. Meigs has given us an interesting and useful book, which can be read with profit. It is free from partisanship, and while at times it lacks spirit in the narrative, it is on the whole a judicious and well-executed biography.

HAMPTON L. CARSON.

Ulysses S. Grant, and the Period of National Preservation and Reconstruction. By W. C. CHURCH, Brevet Lieutenant Colonel U. S. Vols. (New York: G. P. Putnam's Sons. 1897. Pp. xi, 473.)

General Grant. By JAMES GRANT WILSON. (New York: D. Appleton and Co. 1897. Pp. vi, 390.)

General Grant's Letters to a Friend, 1861–1880. With introduction and notes by JAMES GRANT WILSON. (New York and Boston: T. Y. Crowell and Co. 1897. Pp. x, 132.)

THE first of these volumes belongs to the "Heroes of the Nations" series. It is beautifully printed, on excellent paper. There are clear and well-executed maps of Grant's campaigns. The various portraits of Grant, of many of the chief officers with whom he served, of Lincoln, Greeley, Seymour and Lee, and the views of Grant's birth-place, the house where the first surrender took place, and his tomb, are good.

In the eighty pages which deal with the birth, ancestry, education of Grant, his early experiences as a soldier in Mexico, and his career thereafter up to the outbreak of the Civil War, Col. Church has made the best presentation of this period of Grant's life made by any writer who has attempted to present them in such compact form.

In treating of the earlier movements preceding and attending the opening of the Cumberland and Tennessee rivers, including Belmont, Paducah, Forts Henry and Donelson, and Shiloh, the author has examined matters for himself instead of, as has been too frequently the practice, following histories and memoirs written either too soon after the events, or without due regard to the official records. Under such treatment, Shiloh appears as it was, a thorough surprise—no infantry pickets on some points of the Union line in advance of the ordinary chain of camp guards; a regiment attacking the Confederate advance supposing it an outpost; men found in their blankets asleep, and others at breakfast.

The chapters on the siege and surrender of Vicksburg vividly sketch this momentous campaign. The treatment of the battle of Iuka and subsequent movements does great injustice to Rosecrans from a failure to examine the official records, and from repeating exploded versions instead.

The handling of matters about Chattanooga will be a surprise to all who have informed themselves about the notable operations in that quarter. The trouble arises in this case also from failing to follow the record. The reader is informed that Bragg endeavored on August 17, 1863, "to turn Rosecrans' flank and envelop his right, but he was driven back after sharp fighting" and that "on the 18th Rosecrans continued a movement for strengthening his right." As a matter of fact, at this time the Tennessee River and two mountain ranges—one of the latter sixty miles across—separated Bragg from Rosecrans, and the armies did not come into each other's presence until three weeks after the dates named. Col. Church says: "By a brilliant strategic movement he (Rosecrans) secured possession of Chattanooga on September 19th; and the battle of Chickamauga followed on September 20th and 21st." The small detachment of Union troops which occupied Chattanooga before the battle of Chickamauga entered it ten days before the date given; the battle of Chickamauga was on the 19th and 20th, and there was no battle on the 21st. The statement that "two weeks after Chickamauga, Rosecrans was re-enforced by the arrival of Hooker's forces" will create the impres-

sion that these troops actually reached Rosecrans. As a matter of fact, they could not be advanced further than Bridgeport, beyond the mountains, until five weeks after Chickamauga, and did not reach Chattanooga until ten days after Rosecrans had been relieved.

To show how ready the quiet Grant was to assert his position and authority on all proper occasions, Gen. Hooker is represented as sending a spring wagon to the train to meet Gen. Grant on his arrival at Chattanooga, when the latter said: "If Gen. Hooker wishes to see me he will find me on this train." Hooker then appeared with offers of hospitality which were declined. This fable disappears with the statement that Grant rode horseback over the mountains to Chattanooga, that no railroad train ran to the city for weeks thereafter, and that Gen. Hooker did not reach Chattanooga until six days after Grant.

The credit of planning the reopening of the Tennessee River to supply the Army of the Cumberland is given to Gen. W. F. Smith, when, as a matter of fact, the official records clearly show that Gen. Rosecrans planned the movement before Gen. Smith reached the western army. It is true that the details were left to Gen. Smith, and that he executed them in the most brilliant manner.

If a reader should undertake to plot the movements in the battles about Chattanooga by implicitly following Col. Church's dates and descriptions the work would become a serious puzzle. Thus Hooker's battle in Lookout Valley is fixed for the day after the enemy left it. Longstreet's corps is represented as remaining at Chattanooga until November 13, though he left for Knoxville on the 4th. The point at which Sherman's forces gathered to cross the Tennessee for the contemplated attack on Missionary Ridge is fixed at Brown's Ferry, a point thirteen miles below where it really took place, and seven miles below Chattanooga, instead of six miles above it. Sherman is represented as securing a position on Missionary Ridge threatening "both flanks of the enemy, and compelling him to strengthen his right at the expense of other portions of his line." Bragg's left flank was eight miles from Sherman. Bragg's weakening his line elsewhere during the battle to strengthen it against Sherman is a myth, early asserted and long maintained, it is true, but nevertheless a pure myth.

The chapter on the "Genesis of a Great Soldier," covering the time from the Chattanooga campaign until the battle of the Wilderness, is one of the most striking yet written in regard to the characteristics of General Grant.

As in the case of the chapter on Chattanooga the story of the movements and great battles from the Rapidan to Richmond contains many errors in date which will greatly confuse readers who are not students of war history. Thus the re-organization of the corps of the Army of the Potomac just before Grant took command is placed on May 4, instead of 24; and the movements of Warren's corps in the battle of Spotsylvania on April 8 instead of May 8. These, with several other slighter differences in date, make it difficult to follow the real sequence of events.

The reader will encounter the same troubles in the chapter on the campaigns of Sherman and Thomas. Thus the noted assault on Kenesaw Mountain is fixed for June 21 instead of 27, and the theory that while unsuccessful it made it possible for Johnston to detach forces to help Lee in Virginia is an amusing novelty that has not made its impress on military history. The treatment of the Tennessee campaign under Thomas, after Sherman had started on his "holiday picnic" to the sea, is excellent. It brings out the truth that Thomas was left at the start with scarcely more than half as many effectives as Hood, and that the army of the latter was virtually destroyed.

The final surrender is graphically presented, and Grant's career as President rapidly, forcibly, and most creditably portrayed, while the picture of his last days is most pathetic.

The volume of Gen. Wilson is one of the "Great Commanders" series, which he has edited. It has one of the best engravings of Grant extant. The maps are sufficient in number, and good. The fac-similes of historical papers, such as the "Unconditional Surrender letter," the appointment as lieutenant-general, and the terms with Lee, are interesting features. The chapters on ancestry, early life, cadetship, Mexican War and subsequent life until the Civil War, present many new points. Belmont, Fort Henry, Donelson and Shiloh follow long-accepted narratives, as they must in the main, though there is no longer any reason for withholding the facts as to the want of every preparation for battle at Shiloh, and the complete surprise which so nearly overwhelmed the Union army.

The severe criticism upon Rosecrans in connection with the Iuka-Corinth campaign cannot be sustained from the records. For instance, instead of failing to pursue in obedience to orders, as charged, Rosecrans insisted upon pursuing, and was ordered not to do so by Grant himself. This error arises from following inaccurate histories instead of examining the official records. The Vicksburg campaign, Grant's masterpiece in strategy, is presented in clear and compact form.

The author in treating the Chattanooga campaign wholly ignores Grant's statement that upon arriving he found that General Thomas had planned for opening the Tennessee river, and the further statement of Thomas, that the plan originated with Rosecrans, and assigns the whole to Grant; another instance of following early myths instead of the open record.

The account of the now well-understood battle of Chattanooga is elaborate and well written, but contains more glaring errors than any previous publication from a writer of standing. For instance, "Wood, Sheridan and Turchin" are represented to be the force which stormed Missionary Ridge. The assaulting force, however, was composed of the divisions of Wood, Sheridan, Johnson and Baird. Turchin's command was only a brigade in Baird's division. This latter is represented as charging with Sherman's troops two miles away from its real assault, and,

says General Wilson, "This charge of Baird's" (which was neither ordered nor made) "was one of the incidents of the day."

But the most striking illustration of the inaccuracy of this book as history is found in the following description (p. 197) of Sherman's first advance against Missionary Ridge:

"At 1 p. m. Sherman gave the order to advance on Missionary Ridge. With a hundred guns playing upon them, and with as many more answering from the Federal heights, his command gained the foot of the advanced spur of Missionary Ridge, climbed it through storms of shot and shell, beat back the bayonets that wreathed its top, clambered over the hot muzzles of the guns upon its summit, and at half-past three planted their banners there, a step nearer the superior heights frowning above. Two brigades were at once ordered to this advanced position to hold it, artillery was brought up and mounted, and soon the captured height was made impregnable to any Confederate force likely to be thrown against it."

As a matter of fact, there was not a gun fired by either side during the entire movement until after Sherman had reached his position, and then only a few between infantry skirmishers. The crest gained had not been occupied by the enemy, and when Sherman advanced at 1 p. m. there was not a single Confederate soldier within a mile and a half of it, not one was dispatched toward it until 2 p. m., and not one reached it at any time.

The eastern campaigns are presented in an interesting manner, though not altogether free from the Chattanooga method, and the reader will be attracted by the chapters on the political life, the entertaining private correspondence, the trip around the world, and the story of the last days and death of the great captain.

The most important aim of writers and publishers at this distance from the war should be accuracy. When the official record can be commanded by every one, there is no excuse either for writers or publishers in marring their work with serious errors which a few hours' examination of the *War Records* series would enable them to eliminate.

General Wilson's *Letters to a Friend* is, from first to last, a deeply interesting volume. It contains fifty letters written by General Grant to his friend Elihu B. Washburne in the freedom and the confidence of their close relations. They treat of officers, of campaigns, of reasons for action, of policies, of cruel criticisms, of political affairs, of his observations abroad—and all in the simple style and interesting method for which General Grant was noted. It is in every way, except for its brevity, a most satisfactory volume.

H. V. Boynton.

Life of General George Gordon Meade, Commander of the Army of the Potomac. By Richard Meade Bache. (Philadelphia: Henry T. Coates and Co. 1897. Pp. xxii, 596.)

The announcement of a life of Meade by a near relative who was old enough to recollect the current impressions of the general's career whilst

the Civil War was raging, excited hopes of a memoir full of the personality of the man. The book turns out to be, rather, a narrative of the campaigns of the Army of the Potomac; and the intimate history of Meade is limited to a dozen pages at the beginning and a score at the end of the volume. We cannot even say that the comments on the several campaigns represent Meade's views; for he is rarely quoted, and the author informs us in the preface that he does not remember "ever having asked him a question about the war, or his ever having volunteered to speak of it, or having spoken of it to me."

Looking into the work as a new narrative on a theme often treated before, we find the standpoint of the writer to be that of a group of the younger officers who surrounded General Meade, who, starting with the intensest prejudices against the men who succeeded McClellan, transferred the dislike with equal hostility to Grant and Sheridan, when Meade was superseded in the independent command of the Potomac army. Mr. Bache was not an army officer, but he was born of army stock, was himself a civil engineer employed on army fortifications, and, as his book abundantly shows, has remained one of the coterie which has cherished the belief that military guidance of the army ended when Grant and Sheridan came from the West to play their rôles in front of Washington.

It would be hard to imagine a more interesting book than one written from such a standpoint, if only the author had buckled to his thesis with thoroughness equal to his courage, and could show us that he had mastered the material that the *Official Records* contain. As we follow him step by step, however, we find so manifest a lack of knowledge of essential documents, that the bottom drops out of each basketful of proofs of the weakness and incapacity of his *bêtes noires*, big and little.

To begin with the first battle of Bull Run, the proposition is that we must transfer from General Patterson to General Scott the responsibility for the fact that the former did not reinforce McDowell whilst Johnston went unhindered to Beauregard to turn the tide of battle against the Union army. A warm, kindly feeling toward a man who had served his country with distinction in the Mexican war and had in many ways proved his title to the name of a good and useful citizen, would make it a grateful task to relieve Patterson of censure; but more than one student of the period has found that, to do this, one must reckon with the relentless logic which Colonel Livermore has put into his analysis of the records, in his paper published by the Military Historical Society of Massachusetts.[1] In a new treatment of the subject, that analysis must be met point by point, or the debate had much better be let alone. Mr. Bache gives no sign that he is aware of this.

General Pope was an officer of the Engineers, presumed, by the standards accepted in the army, to have the intellectual equipment worthy of his rank, as he certainly had courage and vigor. He paid a sharp penalty for wounding the self-love of the Potomac army, and Mr. Bache has not outgrown the old animosity. He is unfortunate, however, when

[1] *Campaigns in Virginia*, Vol. I., p. 3.

he selects Pope's resistance to the Confederate advance from Cedar Mountain and Culpeper as evidence of lack of judgment. He thinks Pope should at once have marched in retreat to the old lines at Centerville, close to Washington, and that he only resisted Lee because he had, by his address to the army, put "a military chip on his shoulder." As the purpose on the National side was to gain time for McClellan's army to come from the James River to join him, strenuous resistance was the plainest dictate of wisdom, and it is selecting a strong point to make an attack there. That, at least, was a merit and not a weakness. But strong or weak, Pope was not to be judged by it, for in this respect he was following Halleck's explicit orders. The policy of a stubborn, dilatory fight had been adopted from the time McClellan's return had been determined upon, and was constantly reiterated. "Stand firm," said Halleck, "until I can help you. Fight hard and aid will come soon."[1] McClellan was notified that the policy laid down for Pope was to "fight in retreat and dispute every inch of ground" if forced to fall back.[2]

In the campaign of Antietam General Burnside is offered up as the scapegoat, and though idolatry of McClellan is no longer in vogue and no book was ever more discredited as an authority than his *Own Story*, its assertions are here assumed to be conclusive even in contradiction of matter in which the official reports of McClellan and Burnside, made at the time, are in accord. It is enough that thereby Burnside is to be condemned. McClellan as well as Burnside had said in reports made soon after the battle, that Burnside received the order to attack the enemy's position at the lower stone bridge at ten o'clock, and it was not till McClellan had been removed from the command of the army and Burnside had been his successor, that he changed his statement and said that the latter was ordered to attack at eight o'clock.[3] Granting that other testimony might be found more or less strongly supporting the one view or the other, a historical writer is not warranted in saying "there is no doubt of the substantial accuracy of this account of McClellan's." And as if in retribution, there was going through the press at the same time with Mr. Bache's work a supplemental volume of the *Official Records* in which the original of the long-lost order is given with the hour of 9:10 a. m. at its head, its writing, enclosure and transmittal from Pry's house to the heights above Burnside's bridge, full two miles as the crow flies, being after that time.[4]

In the author's mind, no contemptuous epithets seem too strong for his characterizations of Burnside. They become mere lampooning, and are repeated with gusto as often as opportunity can be made. And who was Burnside? A man who, having received his education at the Military Academy at West Point, promptly volunteered on the first call of the President, though he had left the army and was in important civil

[1] *O. R.*, XII., pt. 3, pp. 591, 622.
[2] Id., p. 627.
[3] *O. R.*, XIX., pt. 1, pp. 31, 419.
[4] *O. R.*, LI., pt. 1, p. 844.

business. Taking the field as colonel of a Rhode Island regiment, his promotions came as the recognition of honorable service. At the head of a difficult and important expedition to the Carolina coast he won successes that were among the first to cheer the hearts of a loyal people. Coming back to help retrieve the disasters of McClellan's campaign against Richmond, the latter found in him a friend whom he could absolutely trust and was effusive in warmest expressions of affection. He went to Washington to advocate McClellan's cause, and the offer to himself of the command of the army gave him the power, in refusing it, to secure his friend's reinstatement at its head. He had conferred too great a favor, and the general recognition of the fact that he stood in the possible line of succession, must be held to have been the cause of jealousy, and at last, of enmity. When McClellan's fall came, Burnside still labored for his friend, and it cannot be denied that his unwillingness to take the command was honest and unfeigned. When disaster came to himself, he signalized his pure patriotism by seeking some less onerous post, where he could still serve his country. In East Tennessee he again proved capacity and courage, as even his enemies were finally forced to admit. Returning to the army at the East, he soon offered, of his own motion, to exchange his independent command under Grant for one of subordination under Meade, who had lately been his own subordinate, in order to simplify the working of the army machinery. His character commanded esteem and respect in every situation, whether in prosperity or in misfortune, in the field or in the Senate. His limitations, his faults may be, nay, must be, dissected by the historian; but right-minded people will be shocked whenever such a character is made the object of cynical satire. The smallest of his undisputed successes would have made the fortune of most of those who sneer at him.

In Mr. Bache's treatment of Grant, if for brevity's sake we select a typical example of his misjudgments, we may find it in his thrice-repeated assertion that Grant had unjustly "overshadowed" Meade by taking the field with the Potomac army, though "he had expressly stated that, as being in command of all the armies in the field, his proper place was in Washington."[1]

Anyone passably familiar with the Rebellion history will at once recall that Grant had, with what was unusual vehemence for him, declared, from the first news of his appointment to the new grade of lieutenant-general, that nothing could induce him to do as Halleck had done in this matter of making Washington his personal headquarters. Being summoned there on March 4, 1864, he wrote to Sherman: "I start in the morning to comply with the order, but I shall say very distinctly on my arrival there, that I will accept no appointment which will require me to make that city my headquarters."[2] He stuck to his word, and the order which the President as Commander-in-chief made on March 11th, declared that "The headquarters of the army will be in Washington, and also with

[1] Pp. 364, 401, 554.

[2] *O. R.*, XXXII, pt. 3, p. 18.

Lieutenant-General Grant *in the field.*" As to the Washington office, the same order assigned General Halleck "to duty *in Washington* as Chief of Staff of the army, under the direction of the Secretary of War and the Lieutenant-General commanding."[1]

Here we have the prompt execution of Grant's purpose and the organization of command which he maintained till the peace. It is therefore with a sort of bewilderment that one finds Mr. Bache talking of Grant's having "expressly stated" and made "his own confession" that he was, all the rest of the war, "absent from the place where he should have been." No book discussing subjects of controversy in our Civil War ought now to be published without explicit reference to authorities, but Mr. Bache gives us none. Running the matter down, we seem to find it in Grant's *Personal Memoirs*,[2] where he tells of his visit to Meade at Brandy Station on the 10th of March (the day before the order cited above was issued), and says "It had been my intention before this to remain in the West, even if I was made Lieutenant-general; but when I got to Washington and saw the situation, it was plain that here was the point for the commanding general to be." The "here" manifestly meant with the Army of the Potomac, for he is at its headquarters in consultation with its commander. The antithesis is between "here" and "the West," where he had previously expected to be in the field. To interpret this as meaning that he thought it his duty to stay in the city of Washington would be untenable if not another word were found to show Grant's purpose; but when we read what he had written to Sherman and see him going back to the President and having an order issued the very next day which proclaimed his purpose to take the field; when the enemy seized upon the order, and we find their leaders telling each other that they must prepare to meet Grant in Virginia; the gloss upon Grant's words becomes an amusing example of the blindness of prejudice.

The blindness is scarcely less when Mr. Bache declares it to be "favoritism" which gave Sherman the opportunity for "separate military renown" which was denied to Meade. Sherman had almost passionately begged Grant to stay in the West. No ambition for "separate military renown" had prevented him from urging that it was alike for Grant's renown and for the interest of the country that Grant should remain at the head of the western army though it should keep himself a subordinate. He had a magnificent vision of that great army under Grant's leadership sweeping across Georgia to the sea and northward again to Richmond, making "short work" of the seceding Atlantic States when "our task is done" in the West.[3] If things had gone on in Virginia in 1864 as they had in 1863 it would not have been strange if Sherman's vision had been realized in 1865 by Grant's receiving Lee's surrender somewhere between the Potomac and the Rapidan, coming from the south with the army of the West. It was with the honest purpose to let

[1] Id., p. 58.
[2] II. 116.
[3] *O. R.*, XXXII., pt. 3, p. 49.

the noble Army of the Potomac vanquish its own enemy that Grant gave up the more attractive vision, and the book before us is evidence of the scant thanks he got for it from those who should have been first in gratitude. It is hard to repress derisive laughter when a nephew of Meade quotes against Grant the Spanish equivalent of the English proverb, "One beat the bush and another caught the bird."

If history shows anything it is that the law to make Grant lieutenant-general (for his name might as well have been in its text) was passed when Congress and the country were almost in despair because the victory of Gettysburg was followed by six months of inaction or harmless peripatetics between Washington and Culpeper; because Lee was kept so little employed by a superior army that he dared to send one-third of his smaller force away to help Bragg beat Rosecrans at Chickamauga, and no advantage was taken of it. Had Meade clung to Lee in '63 as Sherman did to Johnston in '64, so that his campaign, like the other, would have been known among the soldiers as the "hundred days under fire," Richmond might have been taken nearly a year before Atlanta, and we should never have heard of its captor being "overshadowed" by anybody. He had his chance.

There is in Mr. Bache's book a good deal of careful analysis of army movements, much good topographical description, aided by maps which he has skilfully modified to meet the wants of the general reader. Its real significance, however, is in the controversial matter of which samples have been given, and with which every chapter is full. He has often been obliged to stop short in his campaign details because the scale to which he was writing would make his book too large, and this has prevented him from giving the reader the means of testing the value of the general judgments which he announces.

The Battle of Franklin, Tennessee, November 30, 1864. A Monograph. By Jacob D. Cox, Late Major-General Commanding Twenty-third Army Corps. (New York: Charles Scribner's Sons. 1897. Pp. x, 351.)

General Cox—scholar, practised writer and excellent officer—gives the public in this volume a very clear account of the campaign in Tennessee under Gen. Thomas, after Gen. Sherman had left Hood, who had long resisted Sherman's three armies, to be taken care of by Thomas with the fragments, when 62,000 selected men had been withdrawn by Sherman for his March to the Sea. The general view of the situation, and the strategy of the campaign, the statement of the tactics and the description of the fighting at Franklin, are excellent. But the assumption in the outset, as if it were not a matter to be questioned, that Gen. Thomas was left with adequate forces, is wholly unsupported by the facts, as is now well known by all participants. It will attract the reader's attention to find in the opening paragraph that Franklin itself as a hard-fought field would not justify the volume, but that full cause for publication will be

found, among other things, in the fact that this battle marked the "beginning of the end" of the Civil War, and justified Sherman in the division of his forces for the March to the Sea. As very few students of war history will accept those positions, they will, naturally, seek another reason for publication. This they will not find clearly revealed until they reach the last two chapters, with the titles, "An unexpected Controversy," and "Controverted Points." The contention, here made clear, is that Gen. Cox selected the line of battle at Franklin, and commanded the line throughout the battle, except as Gen. Stanley, of the Fourth Corps, came up at the time of the break in the line, helped to restore it, was immediately wounded and left the field. That Gen. Cox's book was written as an introduction to this controversy sufficiently appears from the paragraph which precedes the final chapter setting forth the points of his controversy. "The fulness of the narrative in the preceding pages will enable me to make the summary comparatively brief." A space equal to one fourth of the volume is then devoted to the points of contention given above.

While there is no question of Gen. Cox's ability and energy in establishing the line indicated to him by Gen. Schofield, rapidly and effectively entrenching it, and supplementing it all by distinguished conduct in action, the claim which he makes, which is virtually that of commanding in the battle, cannot be sustained. Gen. Schofield occupied a most commanding position, immediately overlooking the whole field, where he could direct everything, not only on the line where Cox's two divisions were fighting, but upon the other very important portions of the line occupied by Stanley's troops, including the points where the Union cavalry were engaged, and where other troops of Stanley were posted to observe movements of the enemy threatening the Union rear. Gen. Schofield, in his recently published book, twice records that he personally directed Gen. Cox where to form the troops as they came up, this being committed to Cox because Gen. Stanley was commanding the rear guard and engaging the enemy to retard his advance. In regard to the remaining point of Gen. Cox's contention, Gen. Schofield, being called on by Gen. Cox as the officer in supreme command for his understanding of the matter, wrote:

"It has seemed to me that your use of the term 'Commandant upon the line' was unfortunate, it being liable to be misunderstood as intended to imply that you had been assigned to the command of all the troops in line on the south side of the river. The contingency which was anticipated of an attempt of the enemy to force a crossing of the river above Franklin, which would, or might, have taken Stanley to some distant point on the north side of the river, and which might thus have led to your assignment to the command of all the troops remaining on the south side, did not happen." General Schofield wrote Gen. Stanley as positively in regard to the matter, declaring further that Stanley was where he should have been throughout the battle.

While these things effectually dispose of the points for the establish-

ment of which the book was written, its non-controversial chapters, which make up three-quarters of the volume, undoubtedly present the best account of the movements in the battle of Franklin yet published.

The discussion of the division of Sherman's forces when he decided to leave Hood in his rear for Thomas to deal with, while with all his army except two small corps, the convalescents, and the sick, he started for the sea, is seriously marred by withholding several essential elements without which there can be no fair presentation of the case. For example, the force which Sherman took to the sea is stated at "about 50,000." Sherman himself in his *Memoirs* says it was 62,204, that "the most extraordinary efforts had been made to purge the army," and "that all on this exhibit may be assumed to have been able-bodied, experienced soldiers, well armed, well equipped and provided, as far as human foresight could, with all the essentials of life, strength, and vigorous action." On the other hand, of those sent back to Thomas, the terms of service of 15,000 expired within a week after Hood's movement began, and their places were in part supplied with 12,000 perfectly new troops. It was necessary to ransack the hospitals and organize convalescents for the field, and also, at last, to put citizens and quartermasters' employés into the ranks, and Thomas, when the real situation was discovered at Washington, was urged to send north for militia. While this was the condition confronting Thomas, and while both Schofield and Thomas reported officially that at the time of Franklin Hood largely outnumbered the Union force, General Cox gives Hood's strength as 42,000 or 43,000, and asserts that "The effective force under General Thomas, in middle and southern Tennessee, was 65,000 officers and men present for duty equipped, which was the official phrase indicating complete readiness for active service." This single statement, in the light of the facts given above, to which he makes no reference, should dispose of his book as history; and also of the theory which General Cox advances that the writing of his book is justified by the demonstration which Franklin gives that Sherman made a proper division of his army when he marched away from Hood to the sea.

H. V. Boynton.

Report and Accompanying Papers of the Commission appointed by the President of the United States "to investigate and report upon the true divisional Line between the Republic of Venezuela and British Guiana." (Washington: Government Printing Office. 1897. Four vols., pp. 406, 723, 517; Vol. IV., atlas of 76 plates.)

These volumes may be considered as products of American scholarship, apart entirely from the policy that gave rise to them. They are undoubtedly the best contribution hitherto made towards clearing up the merits of the boundary dispute. This indeed is not very high praise, for the previous contributions, at least the official ones, were not of the highest order. The interminable series of "statements," "cases" and

"memoranda" put forward by Venezuelan agents have in them lamentably little that is at once relevant to the question and useful towards deciding it. The "case" for the English colony, on the other hand, was tardily scrambled together under pressure of threatened war. It was based on insufficient research, made by persons who had had no thorough training in selecting and translating significant passages from foreign records, to say nothing of the higher task of collating and sifting the evidence so obtained. As a result, Sir Frederick Pollock's able and temperate statement was in part vitiated at the outset by defects in his materials. It was also of course a one-sided presentation. There was still, therefore, need of a thorough search of the sources and a review of the evidence by competent hands; and this the members of our Commission have evidently sought to bring about. They were fortunate in their choice for the most difficult part of the undertaking, of Professor George Lincoln Burr as their agent. Valuable service was done by Professor J. F. Jameson in investigating the beginnings of European settlement in Guiana; and by Mr. Mallet-Prevost, the late Dr. Winsor and Mr. Marcus Baker in working up the geographical features of the question. But it is no injustice to these others to say that the most important and valuable contents of these volumes come from Professor Burr.

Our worthy Secretary of State who asserted that the Guiana boundary question was a matter of "weighing simple historical evidence" ought, in poetical justice, to have been required to do the weighing himself. I doubt whether all history could supply an example of more baffling, complicated and unsatisfactory evidence. The evidence of tradition is conflicting and shadowy. Records are vague and full of gaps, important maps are lost, sites of former occupation cannot be definitely fixed. The disputed territory has for landmarks almost exclusively rivers, and every river has either several names (Indian, Spanish, Dutch, French, English) or several ways of spelling what is supposed to be one and the same name. Many rivers have names so nearly alike that everything depends on a single letter. There is a Baroma and a Barama and a Barima and a Barimani; all four are neighboring streams. The name of the first is spelled in at least twenty-five different ways, and the rest have variations of their own. The second and third are at the burning point of the boundary controversy. To add to this charming simplicity, the mapmakers frequently interchanged the name of the Barima with its neighbor the Amacura; and when a document represents the Barima as the boundary of Dutch territory it may be quite uncertain which river is intended.

In unravelling the tangle of tangles in which the geography of the disputed region is involved, Professor Burr has performed some really remarkable feats. For example, the identification of "Creek Mejou" in a Dutch document, with the river Curumu (Vol. I., p. 390); or, for an example of insight, sustained alertness and skill in marshalling detached bits of evidence, take the processes by which he determines approximately the sites of the successive Dutch posts on the Cuyuni—that river of the interior which figures so much in the boundary dispute. I wish it

were possible to quote the passage in which he speaks of Schomburgk's Indian tradition as fixing the site of one of these posts and giving the name of the post-holder, "Palmsteen." The site is now shown, by a record which Schomburgk could not have seen, to have been correctly indicated by tradition, and Mr. Burr, recalling the Indian tendency to mix l's and r's, reconciles "Palmsteen" with the true name, Pierre Martin, preserved in the record (Vol. I., p. 344).

In his efforts to clear up the facts of occupation from stage to stage, it seems to me Professor Burr has been eminently successful. Unless new evidence be discovered, it is doubtful whether anything further can be drawn from the materials now available. His arguments and inferences as to territorial claims are less likely to be accepted by everybody concerned. As to the primary question whether the Dutch legislators used the Orinoco river as a limit of their territorial rights, possessions or jurisdiction, I think he has not succeeded in overturning the essential part of the case for the colony. He has, indeed, supplied some important corrections in the copying and translating of the chief documents; but the fact remains that Dutch legislation made a distinction between the region east of the Orinoco and the region west of it; that for "the Wild Coast" east of it they legislated freely as to founding colonies, undertaking to authorize and govern settlements at any point settlers might select; west of the Orinoco they made no such pretensions. And when Professor Burr contends that when the Orinoco is thus named as a limit in Dutch legislation about Dutch affairs, "it is as the first Spanish point, and not as the last Dutch one, that it is named," he seems to me to come dangerously near to mere hair-splitting. First Spanish point or last Dutch point, it amounts to a denial of Spanish sovereignty and an assertion of Dutch rights east of the Orinoco. Mr. Burr argues much from the fact that the Dutch did not at once assert an *exclusive* right to plant colonies in Guiana; but I think he looks too much at mere words and too little at the facts. Mere verbal assertion of exclusive sovereignty would have been of small value in 1621; the only assertion that could avail was actual occupation of various points on the coast. It seems to me also that even verbal assertion of exclusive sovereignty is plainly enough contained in the company's "conditions for colonies" of 1627–8; I hardly see how it could be more strongly stated. However that may be, it seems not worth while to spend much time on the question, unless we are to maintain that the situation was controlled to the end by the phrases of 1621. It will hardly be suggested that Holland, to the close of her hold on western Guiana, would have allowed any other country to plant a colony on its coast, without resistance! If not, it seems to me that any argument from the terms of early documents, however interesting historically, is of little value for present purposes. Mr. Burr's own researches would seem to warrant the opinion that if British Guiana fails to get the boundary placed near to the Orinoco it will not be for lack of evidence that the Dutch claimed exclusive jurisdiction up to that limit.

The treatment of the evidence of geographers occupies the whole of Volume III. Here Professor Burr contributes a paper on such official or semi-official maps as he was able to find. His work in hunting down maps officially referred to, and in using their contents, deserves the highest recognition. Dr. Winsor's paper on the history of the boundaries as shown on various classes of maps is clear and good, but somewhat too general for definiteness of results. Mr. Mallet-Prevost, secretary of the Commission, presents a longer, but, as it seems to me, not wholly satisfactory paper on the same ground. He gives too much the impression of laboring to break the force of the map evidence that runs so strongly against Venezuela. Lack of space forbids discussion here of the theory he maintains as to the origin of the Sanson line, the D'Anville line, etc. Even granting all that he contends for, the fact remains that the great majority of reputable map-makers long held that Spain's territory ended at or near the mouth of the Orinoco. Whether they did or did not mean to assign the territory east of the Spanish boundary to the Dutch (and it is quite clear that most of them did) their evidence cannot be brushed aside by unsupported conjecture; they represent the common report and prevailing impression of their day as to the state of territorial rights in that part of the world. It is as futile as it is unfair to assume that the geopraphers used nothing but old maps in making new ones. There is a very considerable body of literature which was available and was certainly used in the drawing of maps. It would have been well if the best of it, so far as pertinent, had been included within the scope of the Commission's inquiries. The geographers were aware that Spain had settlements up the Orinoco but none on the coast. They knew that Holland had settlements on the coast and was reputed to claim it to the neighborhood of the Orinoco. A "line" they could hardly avoid drawing, and where would it so well accord with facts as when drawn at the point where river-bank meets sea-coast? The direction inland was, I think, an arbitrary matter; nobody knew anything of the country and probably D'Anville meant to halve the angle between coast-line and river-line. But he certainly had no thought of setting himself up as "a judge and a divider" over the Spanish and the Dutch. The accordance of his line with the known facts seems to have satisfied both himself and his successors,—at least those who did not set up preconceived theory above facts. There were some who assigned to Spain all the territory in South America that no other country had actually occupied; these drew the boundary at the Pomeroon. There were others, few and obscure, who were disposed to deny, with the Venezuelans, that any other country could obtain ownership of any part without Spain's express grant; these, interpreting the treaty of 1648 in their own way, drew the line at the Essequibo, thus placing a part of the Dutch colony in Spanish territory. It is, however, somewhat surprising to find Bonne and Poirson put in this group as having "denied to the Dutch any rights whatever west of the Essequibo." Of some six or seven maps of this region by Bonne, just one, the one reproduced in the Commision's atlas, a small-scale general

map of South America, may bear this construction, though not of necessity. At all events, all the other maps by Bonne give at least the Pomeroon to the Dutch, and one puts the boundary at the Orinoco (*Atlas Moderne*, Paris, 1771). And as to Poirson, the only authority for placing him in this list is a German map attributed to him, which has no engraved boundary at the coast. All the genuine Poirson maps, printed from his own plates, concede the Pomeroon basin to the Dutch; and even this doubtful German translation shows the Dutch New Middelburg, etc., west of the hand-colored boundary.

Mr. Baker's laudable work in writing a geographical description of Guiana, and in listing the known maps of the region, suffered most by the sudden interruption of the Commission's labors. It is to be hoped he may be authorized to complete his project, and to include in it the evidence of historians, travellers and others who have left on record any word that bears on the main question.

The point most likely to interest readers of this review is, I suppose, the general bearing of the work done for the Commission on the respective claims of Venezuela and British Guiana. That is a matter of opinion. While some of the grounds on which the colonists base their case are shown to be untenable, other grounds are strengthened. The gross result is, as it ought to be, rather to help the arbitrators than to help either party. One feature of the work has seemed to me somewhat unfortunate in this view. The general course and tone of the writing run much as a hostile criticism of the British case. This was perhaps inevitable from the circumstances. It may have been the intention to submit the Venezuelan case to a similar course of critical examination; but there is unfortunately nothing in these volumes to indicate such an intention. Yet the whole work, in spite of this feature, casts a curious light on the extravagant statements once current here as to "English expansion" of claims beyond those made by the Dutch.

S. M. Macvane.

In Vol. XI. of the *Transactions of the Royal Historical Society* (Longmans, pp. 212) the most noteworthy pieces are four: Professor York Powell's account of the École des Chartes and plea for a similar institution in England; Major Martin A. S. Hume's narrative, presenting the most recent information concerning some of the survivors of the Armada who went ashore in Ireland; Mr. W. J. Corbett's very interesting account of some Elizabethan village surveys, derived from the muniments of King's College, Cambridge, and relating chiefly to lands in Norfolk; and Rev. J. Neville Figgis's article on some political theories of the early Jesuits. Mr. I. S. Leadam prints a document describing the pursuit of certain of the English refugees on the Continent by emissaries of Queen Mary. Mr. Oscar Browning casts some new light on the conference of Pillnitz, derived from the letters of Morton Eden, English minister at Dresden, to his brother Lord Auckland, minister at the Hague. Mr. W. F. Lord gives a history of Goree. It is not yet time for the fruits of the society's

alliance with the Camden Society to show themselves; but some of the papers first named are certainly valuable contents.

In Townsend Mac Coun's *The Holy Land in Geography and History* (New York, Townsend Mac Coun, two vols., pp. 96, 126) the technical as well as the general student will find a handy compendium of useful information respecting the geography of Palestine. The author, who is already known through his *Historical Geography of the United States* and kindred publications, is an experienced compiler rather than a Biblical specialist. Fortunately he has made a wise selection of authorities. Availing himself of the valuable researches which have been made by the Palestine Exploration Fund, and of such works as Smith's *Historical Geography of the Holy Land*, he has presented in a series of 154 small, well executed maps, faced with explanatory material, an interesting array of facts, hitherto not easily accessible to the general reader. These are supplemented by a chronological chart and carefully prepared indexes which add greatly to the usefulness of the work. Indeed, the ease with which it can be used is its best characteristic. With the aid of Vol. I., which is devoted to the consideration of the physical contour of Palestine, it is possible to become intimately acquainted with the topographical peculiarities of that land which is the background of Biblical history and literature. Vol. II., which treats its history from the first day of creation to the present in one hundred and twelve pages, offers more opportunity for adverse criticism. The desire to make the work complete has led, in the earlier period especially, to the presentation as facts of much that at the best is merely hypothetical. The sympathies of the author, however, are with modern methods of Biblical research, and for this reason the second part of the work also cannot fail to be of great service to the general Biblical student, for whom it is primarily intended.

C. F. K.

The English Constitution: A Commentary on its Nature and Growth, by Professor Jesse Macy, of Iowa College (New York, The Macmillan Co., pp. xxiii, 534), is not a complete manual of the English constitution, and to judge it properly one needs to bear in mind the author's purpose as stated in the introduction. The author believes that the American student, gaining his ideas of our Constitution chiefly by the study of a written document, is apt to have "an impression that he possesses a knowledge of his own government in advance of his actual knowledge," and to regard the Constitution as more artificial than it really is. The best corrective to these erroneous impressions is a study of the English constitution. To supply a means to this end the author proposes to himself a two-fold task: "First to translate into American forms of speech English descriptions of the English constitution, and second to explain the origin of the present constitution."

Part I. (113 pages) describes the workings of the English constitution in its most prominent features, comparing and contrasting them with

corresponding usages in the United States. The presentation of these matters is often fresh and suggestive, and without doubt the book will prove useful. It is perhaps a fault of the work that it consists too exclusively of broad generalizations. It is in the nature of the case that it should consist largely of them; but the reader will at many points wish that the author had been more definite.

This criticism is still more applicable to Part II., the historical part. It lacks definiteness, and it is all the more unsatisfying because the facts that are wanting are perfectly tangible. We are not forgetting that the author does not propose that this part shall do more than supplement existing histories of the constitution, but the usefulness of the book would certainly have been enhanced if he had given it a greater degree of independence. Often a few briefly mentioned facts would suffice. For example, one could almost believe that the first part of the chapter on the Act of Settlement had been accidentally lost.

In speaking of the contract theory of government, and characterizing the theories of Hobbes and Locke (Ch. XLVII.), Professor Macy follows the very common practice of not distinguishing between the "Contract" of Hobbes and that of Locke. The "original contract between king and people" which King James was charged with violating, was not the "contract" of Hobbes but that of Locke (despite the fact that Locke's *Civil Government* had not yet been published); for according to Hobbes there was no contract between people and sovereign, and he distinctly declares that "there can happen no breach of covenant on the part of the sovereign."

A few typographical errors have been noticed: *Greene* occurs for Green (pp. 193, 254); *Gardiner* for *Gairdner* (p. 193); and in the index the name *Gardner* is made to do service for both Mr. James Gairdner and Professor Samuel Rawson Gardiner. More serious is a slip of the pen on p. 317, where "Petition of Right" occurs for "Declaration of Rights."

E. C. B.

The tenth volume published by the Navy Records Society, entitled *Letters and Papers relating to the War with France, 1512–13*, has been edited by M. Alfred Spont. The work displays a considerable amount of industry on the part of the editor, and makes accessible some interesting and valuable matter. In the selection of his materials M. Spont has drawn chiefly upon the great Paris and London collections of MSS., the printed *Calendars*, and local histories. For some reason or other he prefers Holinshed to Grafton. The introduction is confined to a merely chronological narrative of the maritime relations with France during the years 1512–13. It would have seemed more luminous to us if instead he had described the campaigns of the period, and shown us the plans of the various commanders by land and by sea, and the policies of the different members of the Holy Alliance and their allies. In the text students will find materials of value for the history of the year 1513 especi-

ally, among them Prégent's narrative and Echyngham's account, recently used by Professor Clowes. The volume must prove a useful supplement to the works of Oppenheim, of Desjardin and Teulet, and serviceable to the student of both naval and international history. With its English and French and Italian and Latin—one wonders that there is not some Spanish also—it has something of a polyglot character which makes one grateful that the matter has been given the legibility of print at least. The reader will also discover with pleasure the reproduction of several old prints illustrative of the text.

W. D. J.

M. Camille Jullian's *Extraits des Historiens Français du XIX^e^ Siècle* (Paris, Hachette, pp. cxxviii, 684) is an admirable book. It is much more than the simple volume of extracts for reading which its title implies. In the 128 pages of its introduction, M. Jullian presents a most excellent account of the development of historical literature and historical studies in France during the present century. Though his form of statement is terse and compact, and he gives many detailed facts, the details are not too many, and abundant room is found for clear, suggestive and critical estimates of the various historians and for luminous expositions of the philosophical and literary theories on which their works were consciously or unconsciously constructed. The relations which each writer bears, in thought and method, to certain of his predecessors, are worked out with especial care. Moreover, in tracing the development through the century of that literary *genre* from which his extracts are borrowed, M. Jullian is not neglectful of the services and influence of the less famous scholars whose labors have provided the literary artists of this and subsequent centuries with materials; he commemorates the quarrymen and masons as well as the architects, and remembers the work of governments, museums, schools and scientific missions. After 1870 the survey becomes less detailed, and living writers are not discussed. At the end comes an interesting summary of the leading principles of historical work which may be extracted out of the nineteenth-century historians as the quintessence of the modern French contribution to the general doctrine of historical method. The extracts which fill the body of the book are taken from the chief works of Chateaubriand, Augustin Thierry, Barante, Guizot, Thiers, Mignet, Michelet, Tocqueville, Quinet, Duruy, Renan, Taine and Fustel de Coulanges. As a rule, several excerpts from each chief book are given, their lengths varying from a page to twenty or twenty-five pages. An adequate impression of the author's manner is thus given; and this is much helped by the frequent practice of including passages from his prefaces, in which he has himself stated, with more or less completeness, the principles upon which he has aimed to proceed.

The Abolition of Privateering and the Declaration of Paris, by Francis R. Stark, LL.B., Ph.D. (Columbia University Studies in Political

Science, Vol. VIII., No. 3, pp. 163). Many more faults than this interesting monograph contains would gladly be forgiven to a writer who uses such clear and vigorous English. The materials of the essay, too, have been thoroughly subdued to the author's purpose, to the great profit of the reader.

The essay consists of three parts: I, a discussion of the legal right of capture of private property at sea; II, a comparative sketch of privateering before 1856; III, an account of the abolition of privateering by the Declaration of Paris. The second part is much the best. The third part is a sensible comment on the Declaration as to privateering. The first part is a not very lawyerlike discussion of the legality of capture at sea of the property of individual enemies. An experienced lawyer, for instance, would hardly have laid so much stress on the academical speculations of the French Revolution.

The second and principal part of the essay is in reality a concise history of naval warfare in England, France, and the United States, with something about privateering, and a good deal about piracy and the vicissitudes of the national navies. This is very frankly taken mostly from secondary sources. The merit of the author's work, and it is considerable, consists in having brought conveniently together, in a readable form, so much interesting and valuable information on the subject. Investigation of original authorities might have prevented some mistakes, as in putting into the reign of Elizabeth the surrender by England of the doctrine of *mare clausum*, and in citing the Treaty of Ghent as really a humiliation for England. A little thought ought to have prevented the statement that "it is not illogical" to claim the burning of captured vessels without trial as a belligerent right. But these are small blemishes; one is more inclined to object to an unhistorical slant, apparent in the earlier part of the work, against England and things English.

J. H. B.

Mr. George Hooper's *The Campaign of Sedan* (London, George Bell and Sons, pp. 382) was first published in 1887, and for a number of years has been classed by high military authorities as one of the best books in English on the first part of the Franco-German War (it ends with the downfall of the Second Empire). The book is now reprinted by the publishers. In the preface to the present edition, the author's son states that his father had intended, should a new edition be called for, to revise and correct the work, and to furnish it with an index; but that after due consideration it had been decided to make no addition to the book except that of the index. It is much to be regretted that the author did not correct and revise the book, for it is an able and vivid book, worthy of a careful revision. As it now stands there are throughout the work many small errors and much careless writing. The maps are not what they should be. Especially is this true of the general map of the theatre of operations, which is drawn on an excessively small scale,

presents none of the railways that existed in 1870, is crowded with irrelevant names, and omits many of the names of important towns and rivers mentioned in the text.

The Romance of Colonization: The United States, from the earliest Times to the Landing of the Pilgrim Fathers, by G. Barnett Smith (New York, Dodd, Mead and Co., pp. 320). The title of this book will probably not raise great expectations in the reader's mind. In fact, though it is interesting reading, it is neither important nor well-executed, being but a commonplace aud unscholarly compilation. Not only do minor errors abound, but in major matters the writer is uncritical, and not well informed as to the present state of competent opinion on a multitude of affairs, from the Northmen and the Cabots down. Long quotations abound. It is not easy to see why in this first volume the colonizations of Maryland is treated, before that of Plymouth, instead of being reserved for the second volume, which, we are told, will shortly appear. This second volume will deal with the remainder of the period extending to 1776. Other volumes, exhibiting the romance of English colonization in other lands than those now composing the United States, are mentioned in the preface as probably forthcoming.

Rev. W. H. Whitsitt, D.D., president of the Southern Baptist Theological Seminary at Louisville, Ky., is the author of a small volume entitled *A Question of Baptist History* (Charles T. Dearing, Louisville, Ky., 1896). In it Dr. Whitsitt presented his reasons for the opinion he had already expressed in *The Independent* and also in *Johnson's New Universal Cyclopaedia*, that immersion was not in use among the Baptists in England until 1641. In an appendix he considered the baptism of Roger Williams, affirming that as Roger Williams, according to Gov. Winthrop, was baptised in March, 1639, it must have been by sprinkling or pouring, "since no other method was at that time in use among the Baptists." To this appendix, Rev. Henry M. King, D.D., the scholarly pastor of the First Baptist Church in Providence, R. I., makes reply in a monograph of one hundred and forty-five pages entitled *The Baptism of Roger Williams* (Preston and Rounds Co., Providence, 1897). For many years Dr. King has given much time to the study of the history of the First Baptist Church in Providence as well as to early New England church history, and in his monograph he subjects Dr. Whitsitt's inferences to a most thorough examination. But he does more. He presents evidence from Roger Williams himself concerning his baptism, also the evidence of his contemporaries, and cites the fact that the testimony of one of these, William Coddington, was so forcible that the late Rev. Dr. Henry M. Dexter said that in the absence of contemporary evidence against immersion Coddington's statement must be accepted as probably correct. This will doubtless be the general verdict as to the matter of the baptism of Roger Williams. The lines of evidence presented by Dr. King confirm and strengthen this opinion expressed by Dr. Dexter.

Under the title *The Revolutionary History of Fort Number Eight, on Morris Heights, New York City*, Professor John C. Schwab has privately printed (New Haven, pp. 66) a narrative of the military events of the Revolutionary war on Manhattan Island and in Westchester County, with especial reference to the relation of those transactions to the fortification named, in which local attachments give him special interest. The narrative is carefully constructed out of general materials on the one hand and on the other hand those of a local and private nature; and is illustrated by a map. A brief history of the manor of Fordham precedes. The amount of matter directly relating to Fort Number Eight is not large.

The *Second Annual Report of the State Historian of the State of New York* (Albany, pp. 1029) is certainly not creditable to the state. If the citizen of New York ever compares such a volume with the historical volumes put forth by the governments of Belgium, the Netherlands, Portugal, Roumania or Switzerland—to select states of less population and revenue than his own—he will feel a chagrin proportioned to his intelligence. The deficiencies of the book are not altogether, perhaps not chiefly, due to the compiler himself. He appears to be energetic and enthusiastic in his work, though he evidently has not the historical education or the technical training which the position would seem to require. The painful thing about the book is the plain evidence it bears that the holder of this honorable office perceives that he holds it at the precarious favor of ignorant politicians. For instance, a considerable part of the book consists of trivial stories of the Civil War, with striking "journalistic" headings, under which we find, perhaps, a tale of heroism on the part of some one now high in political office in the state, or the noisy refutation of a "wicked slander" against some military organization. There are pictures, too; for we all know that government publications, to be popular with the lower grade of politicians, must contain cheap pictures. The volume contains 586 mortal pages of muster-rolls, for which our state legislatures have of late developed an extraordinary fancy. It will illustrate the quality of the index if we say that, of its 59 pages, 48 are given up solidly to the entry "Colonial Troops" under C. The one part of the volume which was decidedly well worth printing is the 240 pages in which, with lively and humorous headlines, we are given a series of the colonial records of the years 1664–1673. But these records, which are not presented in chronological order, show so great a lack of editing and of proper explanation as to MS. sources that their value to the historical student is much impaired. Nor is their text above suspicion; the experienced reader of seventeenth-century hand readily perceives errors of a kind indicating ignorance of that hand. When one remembers the labors of John Romeyn Brodhead, one cannot contemplate with perfect patience the present work of the state of New York in historical publication. Cannot things be bettered?

The sixth and final volume of the series of "Women of Colonial and Revolutionary Times" is *Catherine Schuyler*, by Mary Gay Humphreys (Scribner, pp. 251). A real biography of the wife of General Philip Schuyler is plainly an impossibility. The author admits that the only letter of Mrs. Schuyler's that can now be traced is one which "begs the favor of Captain Varick to purchase two thousand oysters and to get Mrs. Vernon or somebody that understands it to pickle them." Apart from the dates of the heroine's birth, marriage and death, and the births, and in some cases marriages, of her fourteen children, there seem to be virtually no materials except such as can be derived by inference from the records of her husband's life or from the political and social history of the times. Under such circumstances it is inevitable that the book should be all background. But it is agreeable reading, and gives a pleasant picture of life at Albany and Saratoga during the last part of the last century.

Miss Ellen Strong Bartlett's *Historical Sketches of New Haven* (New Haven: Tuttle, Morehouse and Taylor; pp. 98) is a series of gracefully written and entertaining papers on points of historical interest in New Haven, with much incidental information regarding persons of note who have been connected with the city. It is profusely and well illustrated and finely printed. Though hardly formal history, the book brings together in a useful way many historical facts of importance, and it will be found by the visitor to New Haven greatly superior to the common run of souvenir literature.

Mr. G. M. Philips, principal of the State Normal School at West Chester, Pennsylvania, has printed for private distribution a pamphlet of 37 pages containing *Historic Letters* from the collection possessed by that school. There are fifteen letters from among the papers of Gen. Anthony Wayne, and four derived from a collection of the correspondence of Gen. Persifer F. Smith. Among the former are letters of Wayne, Washington, Schuyler, Sullivan, Arnold, and Gates. The others are ante-bellum letters of Scott, McClellan, Taylor, and Jefferson Davis.

The American Jewish Historical Society has brought out No. 6 of its *Publications* (pp. 180). The secretary reports 211 members. Though not quite equal in interest to some of the preceding issues, the number contains several interesting matters. Dr. J. H. Hollander contributes a series of documents from the Public Record Office relating to the attempted departure of the Jews from Surinam in 1675. Dr. Herbert Friedenwald, by means of advertisements in the Philadelphia newspapers of the last century, casts new light on the history of some of the prominent Hebrew residents of that town. Mr. Max J. Kohler contributes two articles, one on the Jews of Newport, one on the civil status of the Jews in colonial New York. Mr. N. Taylor Phillips reviews the history of the Congregation Shearith Israel. Mr. David Sulzberger makes a statistical investigation of the growth of the Jewish population in the United States.

The thirteenth volume of the publications of the Filson Club, bearing the general title of *The First Explorations of Kentucky*, is a reprint, with appropriate and scholarly notes and introductions by Mr. J. Stoddard Johnstone, vice-president of the club, of the journals of Dr. Thomas Walker, 1750, and of Christopher Gist, 1751. Walker's journal is not edited from the original manuscript. The text is taken from Rives's edition of 1888, but twenty pages which were missing from that publication are now supplied from the original manuscript. The text of Gist is taken from Darlington's edition, Pittsburg, 1888. A map showing the routes of these first recorded explorations is given.

The *Review of Historical Publications Relating to Canada*, published last year by Professor George M. Wrong, of the University of Toronto, appears to have met with the success it deserved, for the second volume, relating to the publications of the year 1897, has now appeared in due course of time. In the editing of the new volume (pp. 238) Professor Wrong has been assisted by Mr. H. H. Langton, librarian of the University of Toronto, by whom the book is also published. It may likewise be obtained of Mr. William Briggs, of the same town. About a hundred and fifty publications—books and articles in periodicals—are noticed in the volume. The contents are grouped in five divisions: Canada's Relations to the Empire; the History of Canada; Provincial and Local History; Geography, Economics and Statistics; Law and Education and Bibliography. Great effort has evidently been made toward completeness, and the annual survey is, by consequence, highly interesting, affording a most satisfactory notion of what is being done for Canadian history both within the Dominion and without. The reader in the United States, usually too neglectful of Canadian matters, will be surprised to find how much of our historical literature has a bearing on Canadian history, and will be interested and benefited by seeing how such books appear when looked at from a Canadian point of view. The execution of the individual reviews is distinctly better than in the former volume.

NOTES AND NEWS

M. Ernest Hamel, the biographer of Robespierre, died in Paris on January 6, aged 71. Besides his three-volume life of Robespierre, he wrote a *Vie de St. Just*, a *Histoire de la République sous le Directoire et le Consulat*, a book on the conspiracies of General Malet, and a volume on Étienne Marcel.

The Archaeological Institute of America, desiring to acquire greater unity and uniformity in its publications, has determined hereafter to issue all its publications and those of the Schools of Classical Studies at Athens and Rome in a periodical of its own; and for this purpose has acquired the *American Journal of Archaeology*. It has now issued, under the care of Professor J. H. Wright, of Harvard, as editor-in-chief, assisted by a distinguished editorial board, the first two numbers of the *American Journal of Archaeology, Second Series, The Journal of the Archaeological Institute of America*, a handsome periodical, published by The Macmillan Co. The first number consists of the first annual report of the American School of Classical Studies in Rome (1895–1896). The second contains the annual reports of the Council of the Institute and of the Schools at Athens and Rome for 1896–1897.

The first half of Dr. R. L. Poole's *Historical Atlas of Modern Europe* is now completed by the issue of Part XV. It contains three maps: one of Scotland about 1600, by Mr. G. Gregory Smith, one showing the ecclesiastical organization of the Spanish peninsula, by the editor, one of Western Asia under the Mohammedan dynasties toward the end of the tenth and of the eleventh centuries, by Mr. S. Lane-Poole. The Scottish map is based on contemporary manuscript maps and documents, and gives the territorial or district names (Eskdale, Tweeddale, Teviotdale, etc.), as well as those of counties, towns, etc. The letter-press to the Spanish map includes a chronological table, showing the successive restoration of sees during the Middle Ages, as Christendom advanced on Islam. The execution of the maps is, like those of the whole series, admirable. Part XIV. contains a map of France in the thirteenth century, by Mr. W. E. Rhodes, and a double map of the Eastern Roman Empire in the tenth century, by Professor Bury.

In a land so devoted to genealogy as ours, a systematic treatise on the general subject, by a competent scientific authority, ought surely to be welcomed. Such a book is Professor Ottokar Lorenz's *Lehrbuch der gesammten wissenschaftlichen Genealogie; Stammbaum und Ahnentafel in ihrer geschichtlichen sociologischen und naturwissenschaftlichen Bedeutung* (Berlin, Besser, pp. 489).

Another of the auxiliary sciences is the theme of the latest issue in the *Historische Bibliothek*, which is published by the editors of the *Historische Zeitschrift:* Dr. Richard Rosenmund's *Die Fortschritte der Diplomatik seit Mabillon vornehmlich in Deutschland-Oesterreich* (Munich, R. Oldenbourg, pp. 125).

ANCIENT HISTORY.

The Macmillan Co. announce a *History of Greece for High Schools and Academies*, by Dr. G. W. Botsford, of Harvard University, and, as a companion volume, a book of the *Sources of Greek History*, in translation, by Miss A. B. Thompson.

Professor Kurt Wachsmuth's rectoral address at Leipzig, *Ueber Ziele und Methoden der grieschischen Geschichtschreibung*, has been published as a small pamphlet (pp. 19) by A. Edelmann of that city.

The first part of Dr. Edmund Lange's critical review of publications relating to Thucydides since 1890, reprinted from *Philologus*, may now be obtained in separate form (pp. 56) from Dieterich of Leipzig.

The American excavations at Corinth and Sparta are described in the January *Forum*, by M. Jean Gennadius.

Messrs. B. G. Teubner, of Leipzig, announce an important study in the economic history of ancient times, by G. Billeter, *Geschichte des Zinsfusses im griechischen-römischen Altertum bis zur Zeit Justinians.*

A new section of the *Corpus Inscriptionum Latinarum*, a part of the supplement to Vol. IV., has been published, containing pp. 273–454 of the wax tablets discovered in 1875 and in 1887, edited by Dr. Karl Zangemeister (Berlin, G. Reimer).

Noteworthy articles in periodicals: Sir H. H. Howorth, *The Early History of Babylonia*, I. (English Historical Review, January); F. L. Griffith, *Wills in Ancient Egypt* (Law Quarterly Review, January); R. Pöhlmann, *Die Anfänge des Sozialismus in Europa* (Historisches Zeitschrift, LXXX. 2); W. Soltau, *Die römischen Laudationen und ihr Einfluss auf die Annalistik* (Deutsche Zeitschrift für Geschichtswissenschaft, n. s. II. 2); B. Heisterbergk, *Municeps* (Philologus, LV. 3).

EARLY CHURCH HISTORY.

Messrs. Roberts Brothers, of Boston, are continuing their translation of Renan's *Origines* by the issue of a translation of his *Antichrist*, by Mr. Joseph H. Allen.

Mr. G. Margoliouth has reprinted in a separate tract (London, David Nutt) his contribution to the *Journal* of the Royal Asiatic Society, called *The Liturgy of the Nile*, using the Palestinian Syriac text of that document, with translations, introductions, etc. The text contains a liturgy to be used for the rising of the Nile, a survival of an earlier Egyptian

rite. A new edition of the Palestinian Gospels (based upon two fresh manuscripts from Mt. Sinai), and a lectionary of the Old and New Testaments, both edited by Mrs. Lewis, are now passing through the press.

The Coptic version of the Acts of Paul, discovered by Carl Schmidt, is discussed by him in the *Neue Heidelberger Jahrbücher*, VII. 117–124; by Professor Adolf Harnack in the *Theologische Literaturzeitung*, 1897, No. 24, 625 to 629; and by Theodor Zahn in the *Neue Kirchliche Zeitschrift* for December, pp. 933–940.

The collection by V. Forcella and E. Seletti, *Iscrizioni Cristiane in Milano anteriori al nono secolo* (Cadogno, A. G. Cairo, pp. xxx, 275), not only presents the Christian inscriptions of Milan with greater completeness than in any previous collection, the number being 254 besides fragments, but gives them with much greater exactness, and presents facsimiles of 133.

MEDIEVAL HISTORY.

Dr. Conrad Eubel, whose *Hierarchia Catholica* we recently announced, is now about to publish the fifth volume of his *Bullarium Franciscanum*, issued under the sanction of the general of the order, and containing a further installment of the constitutions, epistles and grants issued by the popes to the order.

Mr. Stanley Lane-Poole, author of the British Museum catalogues of Oriental coins, has printed a catalogue of the collection of Arabic coins preserved in the Khedivial Library at Cairo, the special strength of which lies in the series of coins made under the Omayyad and Abbasside caliphs, and in those of the various Egyptian dynasties.

Dr. Reinhold Röhricht's long-expected *Geschichte des Königreichs Jerusalem* (1100–1291), a substantial volume of 1105 pages, is published by Wagner, of Innsbruck.

MODERN EUROPEAN HISTORY.

The fourth volume of the *Monumenta Historica Societatis Jesu* has just been published at Madrid. It extends to 1556, and contains the quarterly reports sent to Rome by Jesuits from all parts of the world except India and Brazil.

Apropos of the present interest in Crete, Monsignor Gaetano Beani has printed (Pistoia, Cacialli) a small book on *Clemente IX. e l'Isola di Candia*, virtually a revised version of the part relating to Crete in his biography of that pontiff, published in 1893.

Captain Mahan's *Influence of Sea Power upon the French Revolution and Empire* has been translated into German by Admiral Batsch, at the instance of the Imperial Naval Council, and will be published by Mittler in Berlin.

GREAT BRITAIN AND IRELAND.

The British Government has just issued the first volume (1461–1467) of the *Calendars of Patent Rolls* for the reign of Edward IV.; and a new volume of the *Calendars of Treasury Books and Papers*, 1729–1730.

The Historical Manuscripts Commission has issued (Fifteenth Report, App. VII.,-VIII.) a volume on the MSS. of the Earl of Carlisle at Castle Howard, in which students of the last years of our Revolution will find the correspondence of George Selwyn with the fourth Earl of Carlisle interesting ; and another on the MSS. of the Duke of Buccleuch at Drumlanrig, of which the most important part relates to the correspondence of the third duke, and illustrates the latter part of the period of the Restoration. The Commission will shortly issue their third and concluding volume on the Harley Correspondence, belonging to the Duke of Portland ; a volume on the papers of the Duke of Somerset, the Marquis of Ailesbury, and the late Sir F. G. Puleston ; one on the collections of Mr. J. J. Hope Johnstone of Annandale, and continuations of the Buccleuch, Salisbury, Ormonde and Fortescue papers. Much special attention is now being given to Welsh manuscripts, especially the Mostyn and Peniarth collections.

The last two Congresses of Archaeological Societies resolved to promote the formation of a national catalogue of portraits, as an important branch of historical research, and systematic efforts to obtain the necessary information are now being made through the local societies which are affiliated in the Congress, and through individual circulars.

An *Index of* (English) *Archaeological Papers published in 1896* (pp. 53) has been issued under the direction of the Congress of Archaeological Societies and the Society of Antiquaries. It is the sixth issue of the series, and completes the index for the period 1891 to 1896. Certain sets of transactions not included in the previous annual pamphlets are here indexed throughout these six years. An index of all these transactions and journals from their beginning down to 1890 is ready in manuscript, merely awaiting funds for its publication.

Messrs. Kegan Paul, Trench, Trübner and Co. have begun to issue in parts an *Index to the Early Printed Books in the British Museum*, edited by R. Proctor. The volume, when completed, will contain between 800 and 900 pages, and will present a list of the books printed in the fifteenth century, which were in the library of the Museum on the 1st of July, 1897, together with additions containing such books as are also or only in the Bodleian Library at Oxford. The edition will be limited.

The second volume of the *Bibliotheca Lindesiana*, compiled by the Earl of Crawford, consists of a list of proclamations from 1509 to 1837, arranged in chronological order, with notice of the contents and indication in what library or printed work each may be found. It forms thus a useful supplement to the *Calendars of State Papers*.

Mr. Thomas D. Atkinson's *Cambridge Described and Illustrated, being a Short History of the Town and University* (London, Macmillan, pp. 528) is especially designed to bring into new prominence the town of Cambridge, and to dispel the common notion of its being a mere appanage of the university. The book is elaborately illustrated by the reproduction of old plates and by new drawings.

The Ford Lectures at Oxford this winter were given by Professor F. W. Maitland, of Cambridge.

Dr. P. Hume Brown, the biographer of John Knox and of George Buchanan, is so far advanced with his *History of Scotland* that the first volume, bringing down the narrative to the accession of Mary Stuart, will probably be published by the Cambridge University Press this spring.

An Irish Text Society has been formed as an off-shoot of the Irish Literary Society, for the purpose of publishing texts in the Irish language, accompanied by introductions, English translations, and brief notes. The society will devote itself chiefly to manuscripts hitherto unpublished and will bring out both Middle-Irish texts and modern texts of the seventeenth and eighteenth centuries. Among the early undertakings of the committee will be a complete edition of Keating's *History of Ireland.*

Professor J. Rhys, professor of Celtic in the University of Oxford, is understood to be preparing a book entitled *Celts and Pre-Celts and their Idioms and Institutions, as Illustrated by Inscriptions found in the British Isles.* It will contain the texts of the inscriptions, followed by chapters of notes and deductions bearing on the Celtic and Pictish peoples.

The approaching anniversary of King Alfred's death will be made the occasion of the publication of a *Life of King Alfred* by Professor York Powell, and of a book of extracts from the original authorities for King Alfred's life and times, edited and translated by the same scholar.

A new edition of King Alfred's translation of Bede has begun to appear in Grein's (Wülker's) *Bibliothek der angelsächsischen Prosa*, the first half, edited by Dr. Jacob Schipper, having been published at Leipzig by G. H. Wigand, *König Alfred's Übersetzung von Beda's Kirchengeschichte*, I. (pp. ix, 272). Dr. Schipper has reprinted from the transactions of the Vienna Academy a brief paper (pp. 13) on *Die Geschichte und der gegenwärtige Stand der Forschung über König Alfred's Übersetzung von Bedas Kirchengeschichte.*

The Corporation of Leicester have authorized the publication of a volume of extracts from their earliest muniments, 1100 to 1329, to be edited by Miss Mary Bateson, and to be printed at the Cambridge University Press.

The Council of the Scottish Text Society announces a new edition of the *Chronicles* of Robert Lindsay of Pitscottie, edited by Dr. Æneas Mackay. The original print extended only to 1565. A manuscript has

now been discovered which contains the completion to the year 1575, and this new matter will be printed by the Society.

The Parish Register Society has privately printed the *Baptisms at Stratford-on-Avon* from March, 1558, to March, 1663, containing the register of Shakspere's baptism, and a considerable number of other entries relating to his family.

The Navy Records Society, finding that their *Journal of Sir George Rooke*, noticed in our last number, was printed from a quite inacurate transcript, supply to possessors of the volume a list of errata.

Beginning with its issue of February 19, *Literature* is printing a remarkable series of Nelson papers. Chief in interest among them are his letters to his wife in the years 1794–1797, of which some have not been known before, while others have been printed so incorrectly as to give a quite unfair notion of the relations of the husband and wife.

Under the direction of Dr. George M. Theal, colonial historiographer, the government of the Cape Colony has been perfecting its archives by procuring copies of important papers from Europe. Those of the period from 1652 to 1795 have been copied in the archives at the Hague; those from 1795 to 1826, at the Public Record Office in London. A considerable amount of Portuguese matter relating to the sixteenth and seventeenth centuries is also being copied. A number of volumes of such material are being printed for the Cape government.

Noteworthy articles in periodicals: F. W. Maitland, *A Prologue to the History of English Law* (Law Quarterly Review, January); F. Baring, *The Conqueror's Footprints in Domesday* (English Historical Review, January); J. R. Tanner, *The Administration of the Navy from the Restoration to the Revolution*, II. (English Historical Review, January); J. F. Chance, *Jean de Robethon and the Robethon Papers* (English Historical Review, January).

FRANCE.

The University of Paris has issued the fourth volume of the *Cartularium Universitatis Parisiensis*, containing documents illustrating the period from 1394 to 1452, the date at which the constitution of the university was reformed by Cardinal D'Estouteville. Vol. V. will contain documents of the same period relating more especially to religious matters, and will, apparently, conclude the series.

The last issue of the series called Story of the Nations is a volume on *Modern France, 1789–1895*, by M. André Lebon.

M. F. Castanié will shortly publish an *Itinéraire de Napoléon*, prepared with great labor from original authorities, in which Napoleon will be followed from day to day, and on days of battle from half-hour to half-hour.

M. P. Marmottan's *Elisa Bonaparte* (Paris, Champion, pp. 318) is only the beginning of an elaborate study of its subject. Elisa's career as Princess of Lucca and Grand-duchess of Tuscany are to be treated later. From various documents, sixty pages of which are printed in the book, the author contrives to cast not a little new light, especially on the period of the Consulate. Another member of the Bonaparte connection is being treated in a similar manner, after very serious archive-studies, by Mme. Caroline d'Arjuzon in her *Hortense de Beauharnais* (Calmann Lévy), which proceeds from 1783 to 1803, and is to be fol lowed by *La Reine Hortense* and *La Comtesse de St. Leu.*

M. G. Bertin's *La Campagne de 1814* (Paris, Flammarion, pp. 354) is a patient study, on the same plan as his previous books on the campaigns of 1812 and 1813, of the eye-witness account of the struggle.

Noteworthy articles in periodicals: Abbé Vacandard, *Saint Ouen avant son Episcopat* (Revue des Questions Historiques, January); P. Fournier, *L'Oeuvre Canonique d'Yves de Chartres et son Influence* (Revue des Questions Historiques, January); L. Le Grand, *Les Maisons-Dieu; leur Régime Intérieur au Moyen Age* (Revue des Questions Historiques, January); V. Pierre, *Le Clergé Français en Allemagne pendant la Révolution* (Revue des Questions Historiques, January); A. Sorel, *L'Europe et le Directoire, V. La Révolution de Brumaire* (Revue des deux Mondes, January 1); H. Houssaye, *La Bataille de Ligny* (Revue des deux Mondes, January 15, February 1); E. Ollivier, *Napoléon III.*, I. (Revue des deux Mondes, February 15); Baron Du Casse, *Le 5e Corps d'Armée d'Italie en 1859*, I. (Revue Historique, March); Duc de Broglie, *Victor Duruy* (Revue des deux Mondes, February 1).

ITALY, SPAIN, PORTUGAL.

In the January number of the *Revue des Questions Historiques*, Doctor Pedro Roca presents a detailed review of the Spanish historical publications of the years 1895, 1896, and M. Léon G. Pélissier of those of Italy. The former are also reviewed by Señor Rafael Altamira in the *Revue Historique* of March-April.

Professor Pasquale Villari has been chosen president of the Istituto Storico Italiano, in the place of the late Senator Marco Tabarrini.

The Prince of Naples has decided to undertake the publication of a *Corpus Nummorum Italicorum*, based on his own remarkable collection and on the other chief collections of Europe. The work is intended to have a magnitude and an excellence which will make it of great use to historical students. It is computed that fifty thousand coins will be described in it.

Fasc. III.-IV. of Vol. XX. of the *Archivio della R. Società Romana di Storia Patria* contains a treatise on some manuscripts of the *Liber Pontificalis*, by I. Giorgi; a thorough-going article on the taxes on salt

and firewood in medieval Rome, by G. Tomassetti; and an account of the possessions of the Colonna family in the fifteenth century, by Professor Lanciani.

With a volume of 409 pages on the kingdom of Italy (Leipzig, G. H. Wigand) Dr. Ludo Moritz Hartmann begins the publication of an extensive work entitled *Geschichte Italiens im Mittelalter.* An essay in a related field is Dr. Wilhelm Marten's *Beleuchtung der neuesten Controversen über die römische Frage unter Pippin und Karl dem Grossen* (Munich, C. H. Beck, pp. 158).

The municipality of Florence intends to celebrate this spring the centenary of Paolo Toscanelli (born 1398), and that of Amerigo Vespucci. The festivities will be elaborate. The Commissione per le Pubblicazioni Scientifiche will take occasion of the celebration to publish the Vagliensi manuscript, containing the relation of the supposed Vespucian voyage of 1497, edited by Professor Gustavo Uzielli. The president of the committee having charge of the celebration is the Marquis Torrigiani, syndic of Florence.

Signor Isidoro del Lungo's *Florentia; Uomini e Cose del Quattrocento* (Florence, Barbèra) has for the most important part of its content a careful investigation of the life and personality of Politian, but by other means likewise illustrates, with learning and insight, the life of the city in his times.

Signor Benedetto Croce, in his *Studii Storici sulla Rivoluzione Napoletana del 1799* (Rome, Loescher and Co., pp. 290), presents interesting results from careful studies into the history of Eleonora de Fonseca and the *Monitore Napoletano,* of Vincenzio Russo, of Luisa Sanfelice and the Baccher conspiracy, of the Neapolitan Jacobins before 1799, and of Domenico Cirillo and the pardon offered him by Hamilton and Nelson.

Much light is cast upon an important period of the modern history of Italy by the publication of the full and impartial record of events in 1870–1871, kept in the form of a diary by Senator Stefano Castagnola, and now published by his son-in-law Signor E. Devoto, with notes by Augusto Ferrero. The diary extends from August 20, 1870, when Prince Napoleon came to Florence to invoke the alliance of Italy, to November 27, 1871, the day of the first meeting of the Italian parliament at Rome. During all this period Castagnola was minister of agriculture, industry and commerce. The diary is published under the title: *Di Firenze a Roma; Diario Storico-politico del 1870–71* (Turin, Roux, Frassati and Co.).

The *Revista Crítica de Historia y Literatura* for October contains a careful account of the life and works of the late Don Pascual de Gayángos y Arce. The November-December number contains a long and final instalment of Señor Julian Ribera's study of "El Justicia de Aragón y la Organizacion Jurídica de los Musulmanes Españoles."

This series, with other chapters added, has been published in a volume with the title *Orígenes del Justicia de Aragón*. With its January number the *Revista* changes to a small quarto form, instead of small folio, but with an increased number of pages. The address of the editor, Señor Rafael Altamira, is now at the University of Oviedo.

Don José Ramón de Luanco, professor of chemistry in the University of Barcelona, has published the second volume of his elaborate and scholarly studies in the history of alchemy, *La Alquimia en España* (Barcelona, pp. 289).

Captain Fernandez Duro has published the third volume (Madrid, pp. 522) of his history of the Spanish navy, *Armada Española desde la Unión de los Reinos de Castilla y de Aragon*, of which the first volume was reviewed in Vol. II., p. 344 of this journal.

Senhor Jeronymo da Camara Manuel, the editor of the letters of St. Francis Xavier, will review in the *Revista Critica de Historia* the whole mass of the publications elicited by the centenary of the discovery of India by the Cape route.

GERMANY, AUSTRIA, SWITZERLAND.

Though the *Bibliographie der deutschen Zeitschriften-Litteratur* extends over the whole field of general bibliography and is not devoted to history alone, yet students of history may be glad to know of the existence of its first volume (Leipzig, F. Andrä's Nachf., pp. 184). This volume presents an index, composed somewhat after the manner of the annual Poole-Fletcher, of about 8,500 articles which appeared during 1896 in about 275 periodicals, chiefly scientific, in the German language. The author's name, the volume and page of the article, the name and address of the publisher, and the price of the periodical are given.

With the present month the *Deutsche Zeitschrift für Geschichtswissenschaft* passes into the hands of the house of B. G. Teubner, of Leipzig, and becomes the *Historische Vierteljahrschrift*, under the editorial management of Dr. Gerhard Seeliger, professor in the University of Leipzig. Its general character is not expected to be essentially changed.

In the *Revue Historique* for January-February Dr. M. Philippson presents a detailed review of the German books of modern history published in 1896.

Vol. LXVIII. of the *Publikationen aus den kön. preussischen Staatarchiven* (Leipzig, S. Hirzel, pp. 641) is a volume of the political correspondence (1621–1631) of Count Franz Wilhelm von Wartenberg, bishop of Osnabrück. Vol. LXIX. is another instalment of the *Hessisches Urkundenbuch*, presenting documents relating to Hanau from 1376 to 1400. The government has brought out the twenty-fourth volume of the *Politische Correspondenz Friedrich's des Grossen* (Berlin, A. Duncker, pp. 435).

To the series of *Annalen der deutschen Geschichte im Mittelalter*, third division (Ottonen und Salier), Dr. Gustav Richter has added a half-volume for the reign of Henry IV. edited by himself and a half-volume edited by Horst Kohl and Walter Opitz devoted to the reigns of Henry V. and Lothar. An appendix by Ernst Devrient deals with the constitution of the German empire under the Saxon and Salian emperors (Halle, Buchh. des Waisenhauses, pp. 782).

With a title-page which indicates that it is the first of a series of *Erläuterungen und Ergänzungen zu Janssens Geschichte des deutschen Volkes* put forth by Dr. Ludwig Pastor, Dr. Nikolaus Paulus publishes (Freiburg i. B., Herder, pp. 100) a brief work called *Luthers Lebensende, eine kritische Untersuchung*.

A beginning has now been made of publication in the second period or division (1560–1572) of the *Nuntiaturberichte aus Deutschland nebst ergänzenden Aktenstücken*; the Vienna Academy has brought out, as Bd. I. (Vienna, C. Gerold's Sohn, pp. cviii, 453) the reports of the nuncii Hosius and Delfino, 1560–1561, edited by S. Steinherz. In the first period (1533–1559) the Prussian Historical Institute has published, as Vol. VIII., the documents for the nunciature of Verallo, 1545–1546, edited by Walter Friedensburg.

Two new memorials of Stein on the German constitution, from the papers of Stadion in the Vienna archives, are printed in the *Historische Zeitschrift*, LXXX. 2.

More than a purely municipal or local interest attaches to the second division of the *Urkunden und Akten der Stadt Strassburg*. It is a series of volumes of the political correspondence of the city during the period of the Reformation. Vol. III., covering the years 1540–1545, and edited by Otto Winckelmann, has just appeared (Strassburg, K. J. Trübner, pp. 780).

Karl Grosse's *Geschichte der Stadt Leipzig*, originally published in 1842, is now to be brought out in a new edition, adorned with some eighty pictures and plans taken from old and rare engravings. The first volume has already appeared (Leipzig, Zangenberg and Himly, pp. 594).

Dr. Ludwig von Thallóczy, chief of the Hofkammer archives at Vienna, will shortly publish a history of Hungary in the Middle Ages.

The Vienna Alterthumsverein has brought out, under the editorial care of Dr. Heinrich Zimmermann, the first volume of its *Geschichte der Stadt Wien* (Vienna, A. Holzhausen, pp. xxiv, 632). The volume is an elaborate folio, with 34 separate plates and 181 illustrations inserted in the text. It brings the narrative down to the time of the Hapsburgs, 1282.

Dr. Rudolf Stähelin's *Huldreich Zwingli, sein Leben und Wirken, nach den Quellen dargestellt*, is now completed by the publication of the fourth part, finishing Vol. II. (Basel, B. Schwabe, pp. 540).

Noteworthy articles in periodicals: H. Bresslau, *Zur Geschichte der deutschen Königswahlen von der Mitte des 13. bis zur Mitte des 14. Jahrhunderts* (Deutsche Zeitschrift für Geschichtswissenschaft, n. s. II. 2); M. Lenz, *Napoleon I. und Preussen* (Cosmopolis, February).

NETHERLANDS.

Miss Ruth Putnam is completing a translation, begun some time ago, of Professor P. J. Blok's *Geschiedenis van het Nederlandsche Volk*.

Dr. Paul Fredericq has published the second volume of the *Geschiedenis der Inquisitie in de Nederlanden*, in which he presents the history of the inquisition, episcopal and papal, in the Netherlands to the end of the fourteenth century.

Mr. Jan Joris Mulder has published at Ghent *Twee Verhandelingen over de Inquisitie in de Nederlanden tijdens de XVI^e Eeuw* (pp. 126).

NORTHERN AND EASTERN EUROPE.

Mr. Oscar Browning, university lecturer on history at King's College, Cambridge, has just completed a life of Peter the Great, to be published by Messrs. Hutchinson, and intends to write a life of Charles XII. of Sweden, to be published by Messrs. Hurst and Blackett.

Professor B. Bilbassof's biographical and bibliographical work on the empress Catharine now appears in an authorized German translation, with a preface by Professor Theodor Schiemann of Berlin, *Katharina II., Kaiserin von Russland, im Urteile der Weltlitteratur* (Berlin, Stuhr, two vols., pp. 736).

The historical section of the Academy of Cracow has brought out, as Vol. XVI. of its *Scriptores-Rerum Polonicarum*, the *Annales* of Stanislaus Temberski, 1647–1656, edited by Dr. Victor Czermak.

AMERICA.

Mr. George Thomas Watkins, of Indianapolis, has issued a preliminary list of brief titles of books and pamphlets relating to the history of printing in America, under the name *American Typographical Bibliography*, and asks aid toward a completer bibliography of the subject.

The sixteenth series of the *Johns Hopkins University Studies in Historical and Political Science*, the volume for 1898, begins with an extensive paper on the Neutrality of the American lakes and the Anglo-American Relations connected therewith, by Dr. J. M. Callahan. The following papers are announced as to follow: West Florida in its Relation to the Historical Cartography of the United States, by Mr. Henry E. Chambers, of New Orleans; Anti-Slavery Leaders of North Carolina, by Professor J. S. Bassett; the Life and Administration of Sir Robert Eden, by Dr. B. C. Steiner; the History of State Banking in Maryland, by Dr. A. C. Bryan; the Maryland and Virginia Boundary Controversy, by L. N. Whealton; the Labadist Colony in Maryland, by the Rev. B. B. James;

The Early Development of the Chesapeake and Ohio Canal Project, by Professor George W. Ward; Slavery in Virginia, by Dr. James C. Ballagh.

The American Jewish Historical Society held its sixth annual meeting at New York on December 29 and 30. Papers were read on the political history of the Jews in New York, on the early history of the Spanish and Portuguese Jews of Montreal, on the origins of the Jewish colony at New Amsterdam, on early Jewish wills of New York, on the manuscripts of Haym Solomon, and on the mystic and physicist, Jacob Philadelphia. Documentary matter relative to the Jews of Curaçao, Surinam, and Spanish America was presented.

M. Henry Harrisse has printed in a separate form a memoir entitled *L'Atterrage de Jean Cabot au Continent Américain en 1497*, read before the Royal Society of Göttingen in October and published in its *Nachrichten.*

The second volume of Professor A. B. Hart's *American History Told by Contemporaries* ("The Building of the Republic," 1689–1783) is now ready. Its publishers, The Macmillan Co., also announce *A Source-Book of American History*, by the same writer, intended for use in high schools and academies.

It is agreeable news that Miss Kate Mason Rowland's *Life of Charles Carroll of Carrollton* (Putnams) has been brought to publication. The same firm announce a series of volumes by Professor Moses Coit Tyler, entitled *A Century of American Statesmen*, in which the history of the century, in American politics, will be surveyed by means of forty-odd biographies of leading statesmen.

Hon. John Winslow has brought out as one of the publications of the New York Society of the Order of the Founders and Patriots of America, an interesting pamphlet of 39 pages on the *Battle of Lexington as Looked at in London Before Chief Justice Mansfield and a Jury in the Trial of John Horne, Esq., for Libel of the British Government.*

The Lundy's Lane Historical Society has now issued the second part of its *Documentary History of the Campaign on the Niagara Frontier in 1814* (James E. Wilson, the secretary of the Society, Niagara Falls South, Ontario). The documents have been derived from the Canadian archives, from the manuscripts of Governor Tompkins, and from those of General P. B. Porter and others. The volume, which extends to 298 pages, has been edited by Major E. Cruikshank.

The January number of the *Publications* of the Rhode Island Historical Society contains an article on the *Providence Gazette*, its publishers, publication offices and editors, by Dr. Amos Perry, and an account of the oldest town records in the state—the records of Portsmouth from 1639. The volume is being copied, and it is hoped that it will before long be printed.

The New London County Historical Society proposes to publish the *Diary of Joshua Hempstead* if a sufficient number of subscriptions are received. It covers the period from 1711 to 1758 and contains, besides matter relating to local histary, many entries relating to the colonial wars, and a description of the author's journey from New London to Maryland.

The *Half-Moon Series* for 1898 will comprise, among other pieces, papers on Tammany Hall, by Mr. Talcott Williams; on slavery in old New York, by Mr. E. V. Morgan; on prisons and punishments, by Miss E. D. Lewis; on the Bowling Green, by Mr. Spencer Trask; on old taverns and posting inns, by Miss B. B. Cutting, and on the New York press in the eighteenth century, by Mr. B. E. Martin.

Rev. Dr. E. T. Corwin, official histographer of the General Synod of the Dutch Reformed Church in America, has for some months been engaged in researches in the archives of the Classis of Amsterdam, relating to the early history of the churches in New York, New Jersey, and Pennsylvania. Important materials are being obtained, and the Synod desires additional money for the prosecution of the work.

The Baptist Historical Collection which had been formed by the late Samuel Colgate has now been transferred from his home in Orange to the library of Colgate University at Hamilton, N. Y. The volumes and pamphlets now number 35,000. Mr. Colgate bequeathed to the university $20,000, the income from which is to be used in caring for and enlarging the collection.

The second annual meeting of the Vassar Alumnae Historical Association was held at Vassar College on February 19. The number of members has risen to 160. The object of the association is to strengthen the educational bond between the alumnae and the college, and to keep up interest in local and other historical work.

Mr. Churchill G. Chamberlayne, of Richmond, Va., proposes, as soon as a sufficient number of subscribers has been obtained, to publish the *Vestry Book and Register of Bristol Parish*, recently rediscovered in the library of a deceased Virginian clergyman. The manuscript volume contains the records of vestry meetings from 1720 to 1789, and a register of births, baptisms and deaths extending over an even longer period. Mr. Chamberlayne's address is P. O. Drawer 927, Richmond.

The forty-fifth annual meeting of the State Historical Society of Wisconsin was held on December 9. The additions to the library were reported as 3809 books and 4886 pamphlets. In view of the approaching fiftieth anniversary of the state of Wisconsin, the society has issued pamphlets of suggestions looking toward appropriate historical celebrations by local historical societies or societies of pioneers or early settlers. The occasion has been taken to encourage the formation of such societies in large numbers, and the suggestions with regard to their activities on

this occasion and subsequently are of the most ingenious and sensible kind. The legislation of the state on such societies is printed, and suggested forms for their constitutions and by-laws.

At the annual meeting of the Wisconsin Academy of Science, Arts and Letters, December 27 to 29, Dr. O. G. Libby presented a paper on Some Economic Aspects of the Greenback and Populist Movements; Mr. B. H. Meyer a paper on Early General Railway Legislation in Wisconsin; Mr. Charles H. Chandler a historical note on Early American Railroads.

Professor Benjamin F. Shambaugh, of the State University of Iowa, continues his useful *Documentary Material relating to the History of Iowa* by the publication of Nos. 9, 10 and 11, containing laws concerning local government in the Northwest Territory, incidentally operative in Iowa. He has also published the first part (Dubuque County) of the *First Census of the Original Counties of Dubuque and Demoine*. The former pamphlet is issued by the University, the latter by the Historical Department of the State government.

The National Museum of Mexico has recently published, for the first time, an important work on the history of the Dominican order in New Spain, *Libro Tercero de la Historia Religiosa de la Provincia de Mexico*, written by Fr. Hernando Ojea in 1608 as a continuation of Davila Padilla. The book, which relates specifically to the twenty years preceding its completion, is edited by Don José M. de Agreda y Sánchez, director of the National Library, who supplies an introduction and an appendix valuable for the economic history of New Spain in the sixteenth century.

The interesting history of the hospital founded by Cortés in the city of Mexico, written by Don Carlos de Siguënza y Góngora in 1689, with the title *Piedad Heróica de D. Fernando Cortés*, has been reprinted through the agency of La Semana Catolica of Mexico. It is edited by Dr. Nicolas León, from a transcript of an imperfect original. No printed copy of the original is now to be found. Dr. Leon is understood to be at work upon a history of the state of Chiapas. In conjunction with Mr. Mr. Lyman H. Low he has recently published (Cuernavaca) a short study of *La Moneda del General Insurgente Don José Maria Morelos*, which, besides its numismatic interest, conveys much information on points of economic history during the struggle carried on by Morelos.

A *Bibliografia de la Imprenta en Guatemala en los Siglos XVI y XVII* (pp. 121) by J. E. O'Ryon, is announced as privately printed at Santa Fé.

Noteworthy articles in periodicals: H. C. Lodge, *The Story of the Revolution* (Scribner's Magazine, January-April); A. T. Mahan, *The Naval Campaign of 1776 on Lake Champlain* (Scribner's Magazine, February); W. P. Sterns, *International Indebtedness of the United States in 1789* (Journal of Political Economy, December).

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THE SPANISH DOLLAR AND THE COLONIAL SHILLING

THE object of the present paper is to state the results of an investigation of two questions: (1) What ought the Spanish piece of eight to have been, in weight and fineness, according to the mint laws of Spain, when it was adopted into the monetary system of Anglo-America? and (2) what was it in fact by weight and assay?[1]

The history which interests us begins with the Ordinance of Medina del Campo of 1497.

The Castilian mark contained 4608 Spanish grains, 3550.16 troy grains, 230.0465 metric grams. The fineness of gold was reckoned in *quilates* (24) and *cuartos* (4), corresponding to our carats and carat grains; that of silver was reckoned in *dineros* (12) and *granos* (24).

[1] In writing Chapter XVIII. of my *Financier and Finances of the American Revolution* (1890), I was brought face to face with these questions, and I found them so difficult to answer, on account of the indefinite, defective, and contradictory statements in the literature, that I was driven to the present investigation, approaching the questions from the antecedent history and the original authorities. The Spanish laws are reproduced in full in Heiss, *Descripcion General de las Monedas Hispano-cristianas desde la Invasion de los Arabes*, Madrid, 1865. In regard to the second question, the attempt to reach original authorities has been very unsuccessful. Booksellers at Madrid could not find books the titles of which I found quoted. I caused search to be made amongst the State Papers in London in the hope of obtaining the original report from the mint upon which Queen Anne's Proclamation of 1704 was based, and which would presumably give, in strict technical terms, the result of the mint tests then made. I obtained, however, only another list of the coins with their value in English money, like that given in the Proclamation itself. Noback (*Münz- Mass- und Gewichtsbuch*) must have had in hand some such document as I hoped to get. I have used his statements on the present topic, some of which, contained in the first edition (1858), are omitted in the second (1878). Chalmers (*History of Currency in the British Colonies*, 1893) gives other statements of the first importance for the present purpose, which I have quoted, although even with the courteous assistance of the author, I was not able to reach the original documents. Some perplexities I could not have solved at all without the assistance of his scholarly work.

By the ordinance of 1497 the *excelente* of gold, called "of Granada," was to be 23 quilates and 3 cuartos fine (.989.58), and 65⅓ pieces were to be cut from a marc. The *marc* of silver, eleven dineros and four granos fine (.930.55), was to be bought at the mint for 65 reals and to be cut into 67 reals. The *real* was, therefore, 3.433 grams gross and 3.194 grams fine.[1] It consisted of 34 *maravedis*. The excelente was rated at eleven reals and one maravedi, the intention evidently being to rate the metals at 10 to 1. The real was not a new denomination. There had been such a unit since 1369, being one seventieth of a base mixture of one marc of silver and three marcs of copper, and the maravedi, or thirty-fourth part of this, had been the current unit of account. After 1497 the real became the unit of account and the maravedi was defined as a fraction of it.[2]

The great purpose of the reform of 1497 was to escape from this base money and to introduce a good system. It was undertaken entirely independently of the discovery of America and the new supply of the precious metals. The place at which the Ordinance was dated shows that it was a financial reform in the interest of the great money fair of Medina del Campo. A third species of coin was, however, provided for in that Ordinance, perpetuating the coinage of "*vellon*,"[3] and probably intended for petty transactions. Seven granos of quality, that is 112 grains of weight in silver, were to be mixed into a marc of copper and the mass was to be cut into 96 maravedis. The later writers affirm that, if a man had one marc of these coins, he had the same value as if he had 96 maravedis in silver coin.[4] This enigmatical assertion is explained by Mariana to the effect that such a person would have 51 (56?) maravedis in plate (the maravedi in silver being 2.02 Spanish grains in weight), and the copper, and the labor, which last exceeded 40 maravedis, so that, as he says, the value was fairly accounted for. A maravedi vellon was 2.4 grams, of which about .05 gram was silver. There was, therefore, a complete system of trimetallism, for, since in 1566 it was ordered that vellon should be coined only by royal license, in order not to issue it beyond the needs of trade,[5] there must have been an open mint for it, as for gold and silver, from 1497 on.

[1] The metallic equivalent of 14.138 cents in the fractional coinage of the United States.

[2] De Cantos Benitez, *Escrutinio de Maravedises y Monedas de Oro Antiguas*, Madrid, 1763, p. 83.

[3] The name may be derived from the French *billon*, or from the sheep-skin depicted on the coin.

[4] Mariana, II. 577; Cantos Benitez, 84.

[5] Heiss, I. 326.

During the sixteenth century the amount of silver in the vellon coins was steadily diminished. At the beginning of the seventeenth century they consisted only of copper.[1] The vellon real therefore became the money of account. Its debasement and the incredible confusion of the laws about coinage in the seventeenth century are amongst the chief causes of the decline of Spain.[2] We have to take notice of this debasement, however, for our present purpose, only so far as the presence of a debased coinage by the side of the silver affected the latter.

Under the law of 1497 pieces of eight reals were coined. These, says Heiss,[3] "are the first *pesos* which were coined in Spain. Their intrinsic value has continued to be almost the same until our time. They were known afterwards as *pesos*, *duros*, *duros fuertes*, *thalers*, *dollars*, and *piastres*, and were destined to serve as universal money." The weight of such a piece of eight reals, by the law of its origin, was 550.2088 Spanish grains, 423.716 troy grains, or 27.468 metric grams, .930.55 fine. The pure contents would be 394.2889 troy grains, and the equivalent in English silver coin 55.05 pence.

The Bohemian *Joachimsthaler* (whence "dollar") were made from 1517 on. Each was one-eighth of a marc of Cologne (233.855 grams). In 1566 the fineness was reduced to 14 *loth* 4 *grän* or eight-ninths, so that the pure contents of a thaler were 25.998 grams or 401 grains.[4]

In 1600 and a few following years coins were made in England, for export by the East India Company, corresponding in weight and fineness to the piece of eight, but with other marks.[5] The purpose was to get the use of coins of an established weight and fineness, yet not contribute to the renown of the King of Spain by spreading coins which bore his marks.

It is a remarkable, and should be an instructive fact that the Spanish monarchs of the sixteenth century, who ruled despotically over wider dominions than any mortals had ever ruled over before, who were masters of both the Indies, and possessed all the chief territories from which gold and silver were obtained, were always in financial embarrassment, and that, in 1577, the great money fair of Medina del Campo, the grandest financial institution which Spain ever possessed, was ruined by the act of the king in appropriating the funds

[1] Mariana, II. 581.

[2] Colmeiro, *Hist. de la Econ. Polit. en España*, II. 489.

[3] I. 137.

[4] Zedler's *Encycl.* art. Thaler. Chalmers cites the law of 1566 as fixing the fineness at .875, which would bring the thaler very close to the piece of eight as prescribed in 1497.

[5] Ruding, I. 353.

of the bankers and suspending their payments. He was a great king and his was a "great country." He could pay back the money, but he could not restore the credit.[1]

This course of events, with the progressive debasement of the coinage, called out a large number of writings about the paradoxical effects of winning the Indies, and about the decline of a monarchy which was, according to the current economic theories, under axiomatic conditions of wealth and prosperity. Religious and other prepossessions rendered this literature for the most part futile, but the writings of Juan de Mariana form a striking exception. He was born in 1536 and died in 1623. He was a Jesuit and a Counsellor of the Inquisition. A collection of seven tracts by him was published in 1609.[2] One of these dealt with the debasement of the coinage. In the copy of this book in the Boston Public Library, that tract is entirely wanting, and a clumsy attempt has been made to conceal the excision of its title also from the list, on the title-page, of the tracts which the volume should contain. This is proof that the tract later fell under condemnation and that an attempt was made to put it out of existence. The works of Mariana, however, constitute two volumes in the *Biblioteca de Autores Españoles*. His doctrines of civil liberty and political economy are, in general, such as would befit a free-thinking French abbé of the last quarter of the eighteenth century. He maintains that the king cannot raise or lower the coins without the consent of the people; money has value (1) on account of its weight, fineness and workmanship, and (2) by law, that is, the king may rate it just as he may other commodities; there is great gain in coining reals vellon, since they no longer contain any silver, therefore they will be counterfeited; in spite of the law no one will give more for a coin than its intrinsic value; as money falls prices rise; money, weights and measures are the bases of all transactions, and must be firm like the cement in a building; debasement is like drink given to a patient out of season, it is refreshing at first but then comes more pain; silver is at a premium in vellon.[3]

The premium on silver was not acknowledged by anybody, for it fell under the condemnation of usury and was both heresy and crime. However, from 1625 to 1686, a premium of ten per cent. was recognized and came to be lawful, although it was far below the truth. The tendency of the departure between silver and vellon was to encourage a depreciation of the former.

[1] *Coll. de Doc. Inèd. para la Hist. de España*, XVII. 541; Ehrenberg, *Das Zeitalter der Fugger*, II. 205 *seq*

[2] Joannis Marianae *Tractatus VII.*, Colon. Agripp., 1609.

[3] Mariana, II. 577.

The earliest datum[1] yet found for the actual weight and fineness of the piece of eight by mint test is of 1626, when the coin is reported to weigh 420 grains; standard, .925 in some cases and in others .916.66, so that the pure contents were 388.5 or even 385 grains.[2] The equivalent in sterling silver coins would be 54.25 or 53.761 pence.

In 1642 the real was, by law, diminished in weight, the fineness remaining the same. Instead of 67 reals, 83¼ were to be cut from a marc. Two of the latter were to be taken for mint charge as two of the former had been. The old piece of eight, if of full legal weight and fineness, was equal to 9.94 reals of the new type, but the eight real pieces of the old type, which continued to be coined in America, were rated at ten of the new reals. This enactment seems to have left little trace in the history, the explanation of which fact we may find in the figures just given. It was easier to pay debts in the old coins rated at ten reals than in the new ones. In so far as the old coins had deteriorated in weight and fineness below the legal standard, this advantage was increased. One-tenth of a current piece of eight in 1626 was 38.85, or 38.5 grains of pure silver. A real of 1642 was 39.68 grains. The only actual effect of the act of 1642 was to rate the current old piece of eight at ten reals instead of eight, that is, to scale down debts, in silver, one-fifth. Probably the usual money of account was vellon which had depreciated much more, but over a long time, and the motive of the act was to scale silver so as to get it into use again. The only motive ever stated was to prevent the exportation of the coin by foreigners,[3] which is, in fact, the same motive, only stated, as so often in the history of coinage, in a way to appeal to popular prejudice instead of in a way to avow the truth.

The mint of Peru had not produced correct coins. In 1650, it was ordered that all Peruvian coins in Spain should be taken to the mint and recoined and they were denied currency in Spain. New coins of Peru were described, however, in an ordinance of 1653, bearing pillars and "*plus ultra*," which were approved and allowed currency. The work of the Peruvian mint soon deteriorated again and it was very variable. Debased Peruvian coins had wide cur-

[1] Spanish coins current in England in 1613 were "clipped and impaired" one-third part; Ruding, I. 370.

[2] *Cottoni Posthuma*, Report of the Committee appointed by the Privy Council on the Proposed Enhancement of the Coins, 296.

[3] Heiss, I. 186. The prohibition of the export of precious metals was repealed, in England, in 1663, because "it is found by experience that they are carried in greatest abundance (as to a common market) to such places as give a free liberty for exporting the same;" Ruding, II. 11. The prohibition was restricted to English coin.

rency in Europe and America and they produced great trouble. They were a convenient means of fraud by those who knew on those who did not.

The insane coinage legislation of the seventeenth century lies beyond our present purpose. It was chiefly domestic in its scope, although the peninsular coins found their way abroad and were used fraudulently, just as the Peruvian coins were used, under cover of the prestige of the "Spanish piece of eight." As to the domestic effect, suffice it to say that it is impossible to understand how commerce and industry could go on. We have no information as to the devices by which the public escaped the law. Obey it they could not and did not. The most tyrannical measures were adopted to enforce the trimetallic system with one kind of currency in it which was arbitrary, viz., the vellon or copper. In 1652 it was ordered, by decree, that there should be no discrimination in value or estimation of coins nominally equal, nor any premium for exchanging copper and silver coins of the same denomination, nor any interest rates of any kind demanded or paid between sorts of coin. In 1680 elaborate tariffs of prices, freight rates, wages, etc., were published, wherein the attempt was made to accomplish the same purpose by imposing rates for all kinds of contracts which social activity calls into being.[1]

All these attempts failed. In 1686 a grand reform of the coinage was undertaken. A premium of 50 per cent. on silver over vellon of the same denomination was recognized, and the purpose was so to reconstruct the coinage as to incorporate this premium in the system. Eighty-four pieces (reals) were to be cut from the marc of silver of the ancient standard (.930.55), of which 82 were to be restored to the owner of the metal, or 83 if it was, when offered, on the standard. Seignorage was declared abolished, so that this mulct stands as true cost of coinage.[2] The piece of eight of this coinage, now called an *escudo* and consisting of eight times the real, would weigh 337.96 troy grains; 314.5 fine; that is, its weight was to that of the coin of 1497 as 8 to 10.[3] It was rated by this law at fifteen reals vellon instead of ten (the "ten" being a survival of the law of 1642) in order to take in the 50 per cent. premium on silver. Fifteen reals vellon were 510 maravedis vellon. Inasmuch as this number was not divisible by eight without a fraction, a second

[1] Cantos Benitez, 137.

[2] All mint charge on standard metal had been abolished in England in 1666; Rudding, II. 12.

[3] Cantos Benitez (p. 138), says that it had lost one quarter. As it never was coined up to standard fineness, his statement, if referred to the fine contents, would be very nearly correct.

law, a month later, added two maravedis vellon to the rating of the escudo. One-eighth of 512, or 64 maravedis vellon, were therefore the equivalent of one real silver, while the real vellon still contained 34 maravedis vellon, the ancient traditional number. The premium on silver, however, was not in truth 50 per cent. It was 80 per cent.[1] Therefore the legislation of 1686 was fruitless and the real vellon continued to be the sole money of account. The largest coin of vellon was the quarter-real, rated at about three cents, money of the United States. The rating of gold to silver was 16 to 1. "This high price keeps their gold at home in good plenty, and carries away the Spanish silver into all Europe, so that at home they make their payments in gold, and will not pay in silver without a premium. Upon the coming in of a plate fleet the premium ceases, or is but small, but as their silver goes away and becomes scarce, the premium increases and is most commonly about six per cent."[2] This statement no doubt refers to international payments, the vellon being the domestic currency. In 1737 the number of maravedis vellon to a real was increased to 68, so that the real silver (*real de plata* or *real de plata provincial*) was just double the real vellon.

Turning now once more to such information as we possess about the mint tests of the piece of eight, we find in Noback[3] the facts given in the first two columns of the following table, being the result of tests at the English mint in 1703. The third and fourth columns are now added.

	Weight in grams.	Fineness.	Fine contents; troy grains.	Metallic equivalent in silver pence sterling.
Seville piaster	27.215[4]	.920.833	386.75	54.0056[5]
Seville, new plate	21.772	.918.750	308.68	43.149[6]
Mexican	27.122	.920.833	385.41	53.82
" pillars	27.021	.925	385.71	53.86
" hemispheres	26.982	.906.250	377.34	52.69

Chalmers's table[7] presents the following additional data from English mint tests, the value in sterling alone being now added.

[1] Cantos Benitez, 138.

[2] Sir I. Newton's Report of 1717; *Parl. Hist.*, VII. 526.

[3] First ed., 447, 1061.

[4] 27.216 grams = 17½ pennyweights.

[5] This is the nearest coin in all the lists to one exactly worth 4s. 6d. sterling and having a gross weight of 17½ pennyweights.

[6] The peninsular coin of 1686.

[7] Page 402.

		Weight in grams.	Fineness.	Fine contents; troy grains.	Metallic equivalent in silver pence sterling.
1702	Seville piece of eight	27.21	.919	385.9	53.88
1704	" " "	27.21	.921	386.8	54.012
"	Mexico " "	27.21	.921	386.8	54.012
"	Pillar " "	27.21	.933	392.	54.7387
"	Peru " "	27.21	.905 (?)	380. (?)	53.06 (?)[1]
1717	Seville " "	27.21	.921	386.8	54.012
"	Mexico " "	27.11	.921	385.4	53.816
"	Pillar " "	27.03	.925	385.7	53.85

A scrutiny of the above tables shows (1) that the mints had not worked up to standard and that there was a great variety in their products; (2) that the "piece of eight," when Queen Anne's Proclamation of 1704, which aimed to make that coin the unit of the monetary system of the colonies, was issued, was not a definite unit; (3) that when the Proclamation specified a coin weighing 17½ pennyweights (27.216 grams) and worth 4 s. 6 d., as the true piece of eight, that specification was not warranted by facts. A coin weighing 17½ pennyweights and worth just 4 s. 6 d. would contain 386.694 troy grains fine contents and would be exactly .920.7 fine. It was universally taken for granted, however, in the colonies that "Spanish plate" was on the sterling standard (.925). A coin weighing 17½ pennyweights and .925 fine would be worth 4 s. 6 d. 1 f. Hence such a coin corresponded to the interpretation of "proclamation money," but no such coin had existed since early in the seventeenth century. Full weight dollars were all culled out of the circulation a little later[2], and probably even as early as the time of the Proclamation, because the East India Company paid a premium of two pence per ounce for them for its transactions. All the current pieces of eight and fractions current in the colonies were clipped. In New England this had been carried so far that the money of account was pieces of eight at 15 pennyweights, and at Philadelphia the money of account was pieces of eight at 12 pennyweights. Scarcely a dollar could be met with which weighed 17½ pennyweights.[3] In the proclamations about coins in Ireland in the last third of the seventeenth century, which are the models on which Queen Anne's Proclamation for the colonies is constructed, the piece of eight is always put at 17 pennyweights.[4] In 1667, pieces of eight were bought and imported by the goldsmiths of London at 4 s. 3 d. each.[5] If of sterling fineness, they would weigh 16½ pennyweights.

[1] *I. c.*, so variable as not to be quotable.
[2] Franklin and Hall, *Votes and Proc. H. R. Penn.*, II. 348.
[3] *Doc. Hist. N. Y.*, IV. 1118.
[4] Ruding, II. 19, 23, 39, etc.
[5] Ruding, II. 13.

The Proclamation was, therefore, most unskilfully adjusted to the facts of the case it had to deal with. It greatly increased the burden of debts. The Lords of Trade knew that it would have some effect of this kind, and they considered the advisability of excepting previous contracts, but took no action, perhaps because there had been a steady depreciation by clipping, with advantage to debtors, for twenty-five years.[1] Either they did not know that the enhancement would be in New England 16⅔ per cent. and in Philadelphia nearly 50 per cent., or they had little statesmanship to imagine that their measure would succeed in the face of such facts. The Proclamation was complained of in the colonies as confusing, unintelligible, wrong-headed, and it, as well as the Act of Parliament of 1708 to enforce it, remained without effect at the time and for the immediate purpose.

The manufacture of coins by mill appears to have been introduced at the peninsular mints about 1660,[2] when vellon coins called *moneda de molino* first appear. The silver coins of the sixteenth century bore an irregular row of dots. At the beginning of the seventeenth century these began to be arranged in a true circle, and the circular outline of the coin was made more accurate. The gold coins led in these improvements, the circle of dots (*cordoncillo*) being carried closer to the edge. The silver coins followed in a course of steady improvement in these details, but the piece of eight does not show a true and firm outline until 1709.[3]

Another general reform in the Spanish coinage system was undertaken in 1728. The law began by saying that the mints had not worked up to standard and that the coins made in the Indies were not milled. Both gold and silver coins were now to be made .916.66 fine, like those of the neighboring countries, in order to prevent exportation. The allowance for error in fineness was set at 2 granos, that is, the bottom limit of fineness was set at .909.722. It was expressly provided that this should be a limit of toleration of error in workmanship and not a standard of perfection beyond which the mint should not try to go. Sixty-eight reals were to be cut from the marc of standard silver. The act also declared that there had been imperfections in the assay of bars from the Indies. Care and diligence were now enjoined, and bars were to be exactly marked according to assay. Technical rules of assay were added.

[1] *Penn and Logan Corr.*, I. 209.

[2] The milling process was introduced in England about that time; Ruding, II. 7. A "mill and screw" had been tried there a century earlier; Ruding, II. 342, 345; Hawkins, *Silver Coins of England*, 301.

[3] Plates in Heiss.

Under this law a real should have weighed 3.383 grams as produced by any mint under the Spanish crown; a piece of eight should have weighed 27.064 grams, or 417.65 grains troy, 382.85 grains fine, worth in sterling silver coins 53.46 pence. The mint price of standard silver was eight dollars per marc, and the marc was cut into eight-and-a-half dollars. The mint charge was therefore doubled.[1] A test of these coins in 1765 is reported[2] as showing a gross weight of 26.983 grams, fineness .906, pure contents 377.4 troy grains. The value in sterling silver coin would be 52.7 pence.

In the absence of definite information when milled pieces of eight began to be coined in America, we may assume that it was at this time. Although the Proclamation of 1704 and the Act of Parliament of 1708 defined the piece of eight as above stated, contracts could be and were solved at all times by the payment of the current "milled" dollars by tale. Consequently all fees, contracts, prices, and also all rates of exchange, conformed to the facts of the weight and assay of all milled dollars as just stated after 1728, and whenever Proclamation Money was referred to, this is what it was in fact. In New England, "Proclamation" was often further defined, in statutes, as 6 s. 8 d. per ounce, sterling standard, which was the pine-tree shilling rate, and far above Proclamation, but in practice a Spanish piece of eight always was a discharge for 6 shillings colonial, whatever the laws might say. Seventeen-and-a-half pennyweights worth 4 s. 6 d., put for 6 shillings colonial, gave 386.694 grains pure silver as 6 shillings. The same amount, assumed to be sterling fine, gave 388.5 grains. At 6 s. 8 d. per ounce, 6 shillings colonial would be 399.6 grains of pure silver. As we have just seen, the milled dollars of 1728 and the following years were down to 377.4 grains fine contents. This last was, therefore, the definition of the ultimate money of reference, 1728–1772.

The next change in the Spanish laws was in 1772. The provisions of the law of that date are given in the following paragraph, with some very welcome elucidations. "The Mexican dollar still retains (practically) the legal weight and fineness assigned in 1772 to the earlier Spanish dollar, the standard weight being 27.073 grams and the millesimal fineness being .902.7, but the common system of coinage is to allow 263 grams of alloy to 2444 grams of fine silver and to coin the total gross weight of 2707 grams into one hundred dollars. Consequently each dollar is coined to weigh 27.07 grams (or 417.75 grains), and to have a fine content of 24.44 grams (or 377.13 grains), the fineness being .902.844 *per*

[1] Arguello, *Mem. de la Acad. de la Hist.*, VIII. 13.

[2] Chalmers, 409.

mille, but the fineness stamped on the dollar is .902.7 or 10 din. 20 grs. in earlier fashion. Apparently the difference between the old Spanish and modern Mexican standards of weight arises from the fact that the Castilian marc, as used in Spain, was a small fraction lighter than the marc used in Mexico."[1] The dollar of 1772 was equivalent, if it was conformed to the law, in sterling silver coins, to 52.66 pence; in the federal dollar of 1792, to $1.016. Assays made under the direction of Robert Morris, in 1782, showed that the pure contents of the dollar tested were 373 grains.[2] Hamilton, in 1791,[3] found that the assays varied greatly. The coin which he thought best had 370.933 grains fine contents. Noback[4] says that, by an actual test, Spanish dollars coined before 1848, taken in great numbers, show an average of forty-one and three-fifths pieces per kilogram fine, or 24.038 grams (370.95 grains) fine each. The metallic equivalent in sterling silver would then be 51.8 pence and in federal dollars $0.9992.

If we disregard the laws of 1642 and 1686 as domestic only, the dollar, as a world-coin, fell, between 1497 and our own times, according to actual tests (assuming that it started in 1497 at the standard of the law) from 394.29 grains of pure silver to 370.95 grains, or 5.9 per cent.

The pieces of eight were introduced into the colonies by commercial intercourse and custom. At different times and in different colonies they were rated differently in the traditional denomination "shillings," the motive being the belief that, by rating them at more shillings, they could be drawn away from neighboring colonies. This strife between the colonies is alleged in the Act of Parliament to enforce the Proclamation[5] as the motive for the Act, and it is to be found adduced as a motive for legislation in a document signed by Sir Isaac Newton with others.[6] It was a current notion of the period in Europe. Of course the rating of the dollar in shillings in any colony served only to define a shilling in the money of account of that colony, it being agreed or ascertained what was the weight of the piece of eight then current there; in other words, how much the current dollar had been clipped there at the time of speaking. This definition did not depend upon the *average* weight of the current coins, but always approximated closely to the worst of them at a given time, for the clipping went on faster as it became worse, and

[1] Chalmers, 393.
[2] *Dip. Corr. Rev.*, XII. 93.
[3] *American State Papers*, folio, Finance, I. 91.
[4] Second ed., 565.
[5] *Stat. at Large*, III. 593; 6 Anne, c. CXXX.
[6] MS. Report, Dec. 19, 1703.

its tendency was discounted. Another fact which must never be forgotten was that there was another money of account, in each colony, by the side of the silver coin, viz., the barter currency. A barter currency is capable of almost unlimited and steady depreciation. As it depreciated, it forced further depreciation of the silver which otherwise could not exist by the side of it. By a kind of paradox, it was not until paper money had been used to excess, so that the unit from which it started was entirely lost, and there was freedom to select any unit as a new point of departure, that recourse was had, in New England, to the Proclamation money. At its promulgation the Proclamation, like every other act of the home government which the colonists did not like, was nullified. It did not introduce the dollar and did not define it, yet, when all other standards and definitions had been lost, it furnished a standard of reference (not simple and definite) which was taken as a new point of departure, or as a common term in the midst of confusion, discrepancy and doubt.

If six colonial shillings were a dollar, twenty shillings, or a colonial pound, would be 3⅓ dollars, whatever the dollars might be. If the dollars were each equal to 54 pence sterling, each one would weigh 418.0603 grains sterling, and one pound sterling would be four and four-ninths dollars. If then the dollars in which the colonial shillings were reckoned were the same as the latter (418 grains), a pound sterling was four-thirds of a pound colonial, or exchange was at 133⅓ when it was at par. Just in so far as the current dollar in any colony was below 418 grains the "par" of exchange rose, and when it had stood for some time at any point, habit caused that point to be regarded as the just and true rate of exchange. In 1700–12, in New England, silver was at 8 shillings per ounce, which meant that the current piece of eight, assumed sterling, weighed 360 grains. Par of exchange was about 155. After 1728 the true metallic par was 136 (with minute fluctuations according to the workmanship of the Spanish mints) if reckoned, as it usually was, in the new milled coins. We can well understand, therefore, the difficulty experienced by the American statesmen after the War of the Revolution in ascertaining what a dollar had been. The Board of Treasury, in 1786, proposed a dollar of 375.64 grains fine, and they found that the ratio of the metals was 15.6 to 1.[1] Hamilton thought that it was 15 to 1. It probably was about 15¼ to 1, silver being a little lower here than in England. The most valuable and important statement in Hamilton's report on the mint[2] is that, in the confusion of the war period, which

[1] State Dep. MSS., Bd. Treas., No. 139, 131.
[2] *American State Papers*, folio, Finance, I. 91.

affected paper, silver, and gold, a dollar had been 24.75 grains of pure gold. At 15¼ to 1, this would correspond to 377.43 grains of pure silver, which, as appears above, was very close to the proper legal contents of a Spanish dollar by the law of 1772. Hamilton, assuming the ratio to be 15 to 1, derived from the "ideal" gold dollar his silver dollar, 371¼ grains fine.

Evidently it was a great evil that the coin of reference, or of account, as the case might be, was manufactured by a foreign mint, which did not work accurately, but could not be controlled by those whose interests were most affected. If the English authorities had established a mint in the colonies,[1] that step would have served their purpose much better than what they did, and it would also have tended against paper-money, which the Proclamation certainly tended to encourage, by its confused and complicated bearing on the facts of the case.

W. G. Sumner.

[1] A proposition to set up a mint was one of the immediate incentives to the policy of the Proclamation; Ruding, II. 59.

THE EXECUTION OF THE DUC D'ENGHIEN

I.

In September, 1802, after the peace of Amiens and the consequent disbandment of the army of Condé, the Duc d'Enghien, the last male descendant of the Bourbon-Condé family, came to Ettenheim near the Rhine to live.[1] His reason for choosing this village was that he might be with the Princess Charlotte de Rohan, whom he had met there in 1795 and with whom he had fallen in love. "No one," he wrote in 1799, "could be more lovely, more tender, and more constantly perfect in every way."[2] They were probably married privately toward the end of 1802, by her uncle, the Cardinal de Rohan, just before his death.[3] The house which the Duc rented at Ettenheim was small but comfortable; he was obliged to live very economically, for he had scarcely anything except the pension which England had finally consented to give him, the first payment of which was made in August, 1802. Around the house was a garden which he had laid out and in which he delighted to work with the two or three friends who remained with him. The occupation of which he was most fond was the chase, for there was fine hunting in the neighborhood and especially in the Black Forest.

In the early part of 1803 a rumor gained credence in England that the Duc d'Enghien's boldness and rashness had got the better of his reason, and that he had entered France as far as Strasburg several times, and had even had the folly to go to Paris. This rumor is important because, although wholly false, it reached the ears of Bonaparte later, was believed by him, and thus became one of the several coincidences which were to result fatally for the young prince. Believing the rumor, the old Prince of Condé wrote severely to him on the 16th of June, 1803, "You must admit it was useless to risk your liberty and your life Your position may be

[1] Louis-Antoine-Henri de Bourbon was born at Chantilly, August 2, 1772. His father, the Duc de Bourbon, son of the Prince de Condé, was an eighth cousin to the kings Louis XVI. and Louis XVIII.; had he outlived his father and grandfather he would have been the tenth Prince de Condé.

[2] Letter of the Duc d'Enghien, April 1, 1799, quoted in *Les Dernières Années du Duc d'Enghien* by Boulay de la Meurthe (Paris, 1886), p. 9.

[3] Welschinger, *Le Duc d'Enghien* (Paris, 1888), pp. 282–289, brings forward many facts which leave little doubt that they were finally married, though the fact has been frequently denied.

very useful in many respects, but you are very near; take care and do not neglect any precaution to get warning in time and make a safe retreat in case the Consul should take it into his head to have you seized. Do not think there is any courage in acting in defiance in this respect. It would be a rashness unpardonable in the eyes of the whole world and could only have the most frightful consequences."[1] The words seem truly prophetic. This serious warning was given to the Duc nine months before the seizure, by his own grandfather, who was well versed in European intrigues, and better able than any one else to advise him.

This warning of the old Prince evidently piqued the young man a little, for he wrote back that upon his honor he had not entered France. "One must know me very little to be able to say or seek to make others believe that I have put my foot on republican soil, except with the rank and station to which the chance of birth entitles me. I am too proud basely to bow my head. The First Consul can perhaps succeed in destroying me, but he cannot humiliate me. One may travel incognito among the glaciers of Switzerland as I did last year, not having anything better to do; but as for France, when I travel there, I shall have no need to conceal myself."[2] This clear statement of a man, one of whose chief characteristics was perfect sincerity and openness, can leave no doubt in any one's mind that the rumor was wholly false. Nor is it likely that between the date of this letter (July 18, 1803) and his seizure he ever so far changed his manner of thinking as to enter France even so far as Strasburg, much less to come in disguise to Paris to talk with assassins, as Bonaparte's overzealous spies and advisers represented. This view is confirmed by a letter which the Duc's private secretary, Jacques, wrote in 1823, in which he affirmed that during the residence of the Duc at Ettenheim the latter had never once entered France, and that the Duc had said to him, "I wish to be able, in case of need, to affirm on my honor that I have not been in France."[3]

Another letter of importance was the result of Bonaparte's offer to Louis XVIII. of a pension if he would renounce his claims to the throne. Louis XVIII. made this offer known to the members of his family, declaring at the same time in firm language that he would never renounce an inalienable right which he held from birth. The Duc d'Enghien, without waiting to consult his family, wrote immediately on March 22, 1803: "The letter which your

[1] *Mémoires de la Maison de Condé*, II. 365, quoted by Boulay, 50.

[2] *Ibid.*, 51.

[3] *Mémoires sur la Révolution Française: La Catastrophe du Duc d'Enghien*, (Paris, 1824), p. 294.

Majesty has deigned to send me has just arrived. I am a Frenchman, Sire, and a Frenchman faithful to my God, to my king and to my oaths of honor. Many will perhaps envy me one day this three-fold advantage. I beg that you will allow me to join my signature to that of the Duc d'Angoulême, adhering, as he does, with my heart and soul, to the contents of the letter of my king."[1] Louis, proud of the noble letter, sent a copy of it to the old Prince of Condé, who allowed it to appear in the English newspapers. Bonaparte may have read it at that time; at any rate it was called to his attention by one of his advisers in March, 1804, and was one additional injury which he imagined the Duc had done him; for this rebuff from Louis XVIII. had been a bitter pill to the First Consul and he felt doubly angry at any émigré who applauded the king's action.

The quiet calm of Ettenheim with its hunting, love-making, and other innocent amusements was very pleasant, but could not fail to become monotonous and oppressive to a man of Enghien's active, ambitious temperament; and this ambition was quite justifiable and natural. Heir of "le grand Condé," he had heard of his ancestor's glories from the cradle; for ten years, as an exile from France, he had sat by the camp-fire and listened to the tales of the great deeds of war achieved by his countrymen in the past; and now at the age of thirty he burned to do something to show himself worthy of his ancestors and of France. The field of battle was the place which his birth, his surroundings, and his natural inclinations pointed out to him as that in which he was to do his work and make himself famous. All the while he was at Ettenheim he tried to keep in touch with the political world. Living only a few miles from the Rhine frontier he gathered much information about the plans of the First Consul and heard many complaints and rumors from persons in France who were opposed to the Consulate, little imagining that the First Consul would one day choose to regard such harmless letters from discontented people in France as a proof that the Duc was a conspirator and had been trying to excite a mutiny among the French troops in Alsace, for which he ought to be put to death.

By the beginning of the year 1804 the political horizon seemed to foreshadow a general continental war as soon as the weather permitted the armies to take the field. The Duc d' Enghien had received a note from the English government asking him to notify the émigrés in his neighborhood of an increase in their pensions. Now surely was the time to solicit from England an active part in the campaign which was to begin on the German frontier. Accordingly,

[1] Welschinger, p. 226; Boulay, p. 45.

on January 15, he sent through Sir Charles Stuart, the English envoy at the Austrian court, a note asking for a military appointment from the English government. He "begs His British Majesty to employ him, no matter how nor in what position, against his implacable enemies in case a continental war breaks out :—whether in allowing him to serve in the armies of the Powers allied with England; or to join the first English troops on the continent wherever they may land; or in deigning to confide to him some auxiliary troops in which he could appoint some old faithful French officers and the deserters who might join him. There will be many of them at this moment in the troubles of the Republic; of this the Duc d' Enghien has convinced himself in a most positive manner by a two years' residence on the frontiers of France."[1] From this letter it is clear that the Duc had no idea of assisting any conspiracy against the First Consul by raising a rebellion in Alsace, as Bonaparte persisted in saying after he had read the note. The Duc was speaking only of a general European war in which he might have an active part.

The Duc d'Enghien, then, had come to Ettenheim because of his love for the Princess Charlotte; he knew nothing of the conspiracy of Georges Cadoudal; and he was also glad to stay at Ettenheim near the frontiers of France, because in case of war or disturbance it was a good place from which to invade France and restore the Bourbons to the throne.[2]

Meanwhile the conspiracy of Georges Cadoudal, too well known to need describing, had been rapidly developing, and Bonaparte and his spies had already begun to scent trouble in the air. The English newspapers were said to contain hints at some sudden uprising in France and extracts from an old pamphlet written against Cromwell, entitled "*Killing no Murder*."[3] The First Consul's spies in the west of France and in Normandy had noted a suspicious agitation among the peasants and a gathering of armed bands of Chouans; and the spies in Germany reported great activity on the part of the English agents, especially of Drake at Munich. What

[1] Austrian Record Office, quoted in Boulay, p. 288.

[2] The opinion of Massias, the French envoy to Baden, in which Ettenheim lay, is worth quoting for its good sense and justness and because no one was in a better position to know about what went on in Baden than himself. He wrote to Talleyrand, the moment he heard of the Duc's arrest, "The Duc d'Enghien is a Royalist full of loyalty; he hates England and is humiliated at having to live on a pension; he economizes to be able to do without it; he lives at Ettenheim in great simplicity, giving to the poor in accordance with his means; he was not made for intrigue, hates all cowardice and abhors assassins." Foreign Office of Baden, quoted in Boulay, p. 321.

[3] Nougarède de Fayet, *Recherches Historiques sur le Procès et la Condamnation du Duc d' Enghien* (2 vols., Paris, 1844) I. 32.

did all these suspicious movements and indications signify? was the question Bonaparte asked himself at the beginning of 1804.

Throughout 1803 several persons had been arrested in Paris or near the coasts because they were suspected of having communication with England or could give no good account of themselves. One of these, to save his life (January 24, 1804), revealed the secret that Georges was somewhere in Paris with the purpose of killing the First Consul, that three disembarkations of Royalists had been made in Normandy at a smugglers' rendezvous called Biville, and that a fourth important landing was to be attempted in a short time. Bonaparte now set his spies to work to find the exact hiding-place of Georges and who his accomplices were. He also sent his aide-de-camp, Savary, later created Duc de Rovigo, to Biville to watch for the fourth disembarkation. In a few days an English brig appeared in the offing, which a Chouan assured Savary was the same vessel that had landed Royalists before. But though Savary acted cautiously and tried to lure the brig in with false signals, she still held off and finally stood back for the English coast.[1] Either the Comte d' Artois or his son, whichever was on board, had had a warning that the plot was discovered; or perhaps at the last moment their caution got the better of their courage and they preferred safety in England to danger in France. Savary waited at Biville for a month, hoping that the brig would return; then he returned to Paris and reported himself to Bonaparte on March 19, just in time to play his part in the tragedy of the Duc d' Enghien.

While Savary was thus trying to entrap Bourbons and conspirators on the coast of Normandy, revelations obtained in Paris as to the relations between Pichegru and Moreau led to Moreau's arrest on February 15; and on February 28, Pichegru, who, next to Georges Cadoudal, was the most prominent man in the plot, was

[1] Savary gives a detailed account of his mission to Normandy in his *Mémoires* (Paris, 1829) II. 10–45, and of his share in the execution of the Duc in the following thirty pages, though not quite truthfully. Their veracity was attacked in 1823 and he at once wrote in his defense, but without any more regard to the strict truth than before, a "*Supplementary Chapter on the Catastrophe of the Duc d' Enghien*;" this may be found on pp. 347–489 in his *Mémoires*, Vol. II. Much of what Savary has to say on this affair may also be found, under the title *Extrait des Mémoires de M. le Duc de Rovigo*, in the *Catastrophe du Duc d' Enghien*, pp. 9–56, one of a series of books entitled *Mémoires Historiques sur la Révolution Française* (Baudouin Frères, Paris, 1823). This book also contains, among other material relating to the Duc d' Enghien's death, two considerable pamphlets which were called out by Savary's accusations and by the heated discussion which took place in 1823: Dupin's *Discussion des Actes de la Commission Militaire*, pp. 57–113, and Hulin's *Explications Offertes aux Hommes Impartiaux*, pp. 115–125. It is interesting to see Hulin and Savary laying the blame for certain things upon each other, but as they were both the agents of Bonaparte it makes little difference, so far as his personal liability is concerned, which of his agents executed his orders.

seized in the house of a friend who had given him shelter and then betrayed him.

One of the First Consul's secret agents at this time was a certain Méhée la Touche. An old Septembriseur and ardent Jacobin, Méhée was one of the numerous persons of whom Bonaparte had rid himself by banishment on the ground that he had had something to do with the infernal machine of the 3d Nivôse. Hearing from his wife in Paris that the Grand Judge could perhaps obtain a pardon for him to return to France if he would render some signal service to his country, he determined to see what treachery could accomplish, and sent a note to the British Cabinet, declaring that he had abjured his old errors of the Revolution and was ready to unite himself to the cause of the Bourbons; he said that he and many Jacobin friends in Paris formed a Republican committee which was opposed to the Consulate; that they could be reconciled with the Royalists, who also opposed the Consulate; and that together they could accomplish something against the First Consul. Méhée said that he could bring about this alliance of Jacobins and Royalists, if they would give him money with which to go to Paris; that on his way he would take a look at the situation in Germany and have a talk with Drake, the English envoy at Munich, who would get him a passport into France and give him letters to Royalist friends. The English government swallowed the bait and gave him the money. Drake was a foolish, self-important official without too scrupulous a conception of the behavior expected of diplomatic agents, and with a great taste for the excitement and secrecy of conspiracies. When, therefore, Méhée came to him in October 1803, with a smile on his face and the references of the British government in his hand, and spoke knowingly of a Jacobin committee in Paris desirous of uniting with the Royalists, and of many other fictitious things, Drake at once fell into the trap, delighted at the prospective chance of intriguing in France. He gave Méhée 10,000 francs, a passport into France under an assumed name, and letters of introduction to many English agents and Royalists, including the Comte de Musset and several émigrés who formed a harmless little group of malcontents at Offenburg, a town in Baden about six miles north of Ettenheim, and, like it, but a short distance from the Rhine frontier. Méhée made their acquaintance and then passed on into France to tell Bonaparte his plan to deceive the English agents as to the real plans of the French, while at the same time learning the plans of the English themselves. Bonaparte was pleased with the idea and for the next three months carried on a continual correspondence with Drake through Méhée, Drake of course never suspecting that his communications, of little

real importance to be sure, ever reached any other ears than those of Méhée and his Jacobin-Royalist fellow-intriguers.

When, in January 1804, the rumors of a conspiracy against the First Consul began to be confirmed, Méhée was directed to write and ask Drake what news he had of the landing of Georges and the Royalists; but Drake replied that what Méhée mentioned in his letter was the first and only knowledge he had received of any Royalist landing in Normandy, so that the French government felt convinced that he knew nothing of the Georges conspiracy. As there had been frequent reports that Royalists were stirring actively on the right bank of the Rhine, Méhée went to Offenburg toward the end of February to see for himself what was going on. He there again met M. de Musset, who gladly renewed his confidences to Bonaparte's spy, telling him that several old officers of the army of Condé in the pay of England had come to Offenburg lately to organize, and that they were acting in concert with the Duc d'Enghien, to whom they were going to join themselves when they should get instructions from England.[1] Méhée returned to Strasburg to write a report to Réal[2] of what he had learned at Offenburg.

Réal received Méhée's report on March 1 and showed it to Bonaparte, who read it carefully and was struck with the mention of the Duc d'Enghien's name; he asked Réal exactly where it was in Baden that the Duc was living and whether he was still there. Réal did not know; he learned from the foreign office (Talleyrand) that it was at Ettenheim, but could not find out whether he was still there. Bonaparte then directed Réal to write to Shée, the prefect of the Lower Rhine at Strasburg, to find if the Duc d'Enghien was still at Ettenheim. "The information which you are to collect must be prompt and sure," said the letter; "in case the Duc is no longer in the town you are to inform me immediately by a special courier, and tell me at the same time the exact moment when he disappeared, what direction he took, and what is his supposed destination."[3] Bonaparte was evidently agitated at the news about the Duc d'Enghien and anxious to have exact and immediate information as to his whereabouts; it seems quite probable that the idea of seizing the Duc dates from this moment, and that this is why he was in such haste for exact information; he had just heard that

[1] Nougarède, I. 167.

[2] Since the dismissal of Fouché some months before and the consequent abolishment of the Ministry of General Police, this part of the administration—the care of the internal safety of the state—had been given over to a Councillor of State, who happened at this time to be Réal; this Councillor of State was subject to the direction of the Grand Judge, or Minister of Justice, M. Regnier.

[3] Nougarède, I. 172.

one of the Bourbons had escaped his grasp in Normandy; why, thought he, was not this other Bourbon in Ettenheim just as good to make an example of? Upon the receipt of this letter Shée despatched an under officer, named Lamothe, to Ettenheim to make a report in accordance with Réal's order,—the report which was to result so fatally for the young prince.

The success of Méhée, and the favor of the First Consul of which he boasted, roused a spirit of rivalry in the officers along the Rhine, and induced them to spy upon the doings at Offenburg and make reports to Paris of what they found. Prefect Shée showed himself especially active in discovering everything and denouncing everything. Popp, a police commissioner, and General Leval, commandant of the division at Strasburg, both wrote letters, which must have reached Bonaparte on the second or third of March, denouncing the Baroness de Reich and other émigrés at Offenburg. "One sees there," said Popp, "a number of French émigrés, among whom there must be some persons of distinction. But from the information which I have been able to procure, it does not appear that this assemblage is dangerous; however, the government may judge that it deserves some attention."[1] This language was moderate; that of Leval passed all bounds: "You have undoubtedly been informed," he wrote to Regnier, "of the intrigues which are being hatched at Offenburg by the six or seven hundred émigrés who are living there."[2] As a result of these and many similar reports Regnier, on March 7, reported to Bonaparte through Talleyrand that there was a committee of French émigrés in the pay of the English government at Offenburg, whose object was to excite trouble in France by all possible methods; that it had as its chief agent a man named Mucey (Musset), who, having bribed the necessary postmasters, was introducing into France "incendiary mandates of rebel bishops, as well as the infamous libels which are manufactured in foreign parts to the detriment of France and its government."[3] Regnier ended his report by suggesting that the First Consul get hold of these obnoxious persons. This was an easy matter for Bonaparte; knowing well that the Elector of Baden would not dare to refuse what he demanded, he caused Talleyrand to write a note to Carlsruhe requesting the Elector to seize and extradite to France these fomentors of disorder. This note was despatched from Paris on March 10, but before the Elector could act on it, Bonaparte had

[1] Boulay de la Meurthe, 127.

[2] *Ibid.*, note 2.

[3] Talleyrand, *Memoirs* (trans. by A. Hall), III. 207 *seq.* and Boulay de la Meurthe, p. 308.

already taken matters into his own hands. This was the first touch of his severity; more important measures were in reserve.

While Bonaparte, angry at the escape of the Comte d'Artois, provoked that Georges, the chief actor in the conspiracy against his life, was still at large in Paris, and annoyed at the apparent military activity on the right bank of the Rhine and at the presence of the Austrian troops in Bavaria, waited in Paris for Lamothe's report, that agent had left Strasburg on March 4, and, having stopped a little while at Kappel to gather information, reached Ettenheim at nightfall; then returning by way of Offenburg early next morning, he reached Strasburg in time to make out his report the same day. One copy of this report was given to the prefect Shée, who, after adding a report of his own, sent it to Réal, who received it on the 9th of March; and another copy was, according to military custom, sent by Lamothe to Moncey, his superior officer in the gendarmerie, who received it early on the morning of March 8 and showed it to the First Consul about eleven o'clock. In it he read[1] that the Duc d'Enghien was still at Ettenheim; that he lived there simply, hunted daily, and seemed to be loved by every one in the neighborhood; that it was supposed that he intended to remove soon to Freiburg in the Breisgau, Austrian territory; and that for several weeks he had some interchange of letters with that town and with Offenburg. These details of Lamothe's were true, but the rest of the report, founded upon induction rather than upon facts, contained absurd blunders into which his credulous imagination had led him. After greatly exaggerating the number and importance of the émigrés at Offenburg, he declared that with the Duc were two old officers of the army of Condé, named Grunstein and Smith, who had recently arrived from England. This was absolutely false; Schmitt, not Smith, was a native of Hesse-Darmstadt and had not come from England; Grunstein was an aged major who had lived for two years in Baden and intended soon to go to Austria. But the greatest blunder, and that which was most fatal to the young prince, was that Lamothe, hearing at Kappel from some German lips that a man named "Thumery" was at Ettenheim, understood his informant to pronounce the name of the revolutionary General "Dumouriez," who had been a traitor in 1793 and was lately known to be with the Royalists in England.

At the sight of Dumouriez's name, Bonaparte, imagining that Drake, Enghien, Dumouriez, Georges, and the whole body of Royalists were in one great conspiracy against him, lost all control of himself, and, bursting with anger, broke forth, "Am I a dog to be

[1] Report of Lamothe, Nougarède, I. 208–210.

knocked to death in the street? Why was I not warned that they were assembling at Ettenheim? Are my murderers sacred beings? They attack my very person. I'll give them blow for blow."[1] Then as Réal entered, Bonaparte turned upon him and asked him why he had not told him "that Enghien and Dumouriez were plotting against his life within four miles of the frontier? What good were his police?"[2] To which Réal replied that he had told Bonaparte all he knew and was still waiting for his own copy of the report from Shée and Lamothe, which in fact did not come till the next day, but which would only have made Bonaparte all the angrier; for Shée not only confirmed all that Lamothe had said as true, but added that Enghien had often entered France as far as Strasburg, which was, as shown above, equally false. Then he turned upon Talleyrand in the same manner, demanding how it was that Massias, the *chargé d' affaires* of France at Carlsruhe, had not reported upon such facts to the foreign office. In vain did Talleyrand try to allay his anger by reminding him that the presence of the prince in the electorate had long been known to him,[3] that he had even charged Talleyrand to inform the Elector that the prince might reside at Ettenheim.[4] Then instead of trying to protect his inferior, Talleyrand, believing it easier to accuse him, declared that Massias had neglected to mention the intrigues which were being carried on at Offenburg, perhaps either because he did not think it of sufficient importance, or because he had married a relative of the Baroness de Reich, one of the chief disturbing spirits of Offenburg, and feared to compromise her.[5]

The events of the following day (March 9) only tended to confirm Bonaparte in his opinion that there was one great concerted plot against him, with Dumouriez and Enghien at the head of it, on the Rhine frontier. Dumouriez, in all the various places to which his ambition had led him, had always shown that he had an enterprising spirit, a mind fertile in devising unscrupulous schemes and an adventurous temperament to try anything which might better his

[1] Desmarest, *Témoignages Hist.*, p. 128, quoted by Boulay de la Meurthe, p. 140, note 1.

[2] Ségur, *Mémoires*, II. 227, *seq.*; L. Constant, *Le Duc d'Enghien*, pp. 8–10.

[3] Massias wrote to Talleyrand Sept. 15, 1803, "J 'apprends que le Duc d' Enghien est à Ettenheim chez le Prince de Rohan." But it is not certain that the Minister of Foreign Affairs told the First Consul of the fact at that time.

[4] Talleyrand states twice in his *Memoirs* (III. 211, 213) that he was instructed by the First Consul to inform the Elector that he had no objection to the Duc's living at Ettenheim.

[5] This was a lie, and Bonaparte evidently suspected as much, for shortly afterward in a letter to Réal (*Corr. de Nap.*, IX. 7631), he says, "I beg you to see whether Massias is married or not, and what are the grounds of suspicion against him."

fortune. Bonaparte knew all this and perceived that he was just the man to engage in a plan to overturn the consular government. Precisely at this moment a despatch was received from the French ambassador at Naples enclosing a letter addressed to Admiral Nelson, in which Dumouriez expressed himself as follows: "It is not enough for England to be prepared to receive the enemy, she must go to seek him; if they take my advice they will make an important expedition which I have advised, the success of which cannot be doubted."[1] This was the plan, Bonaparte felt sure, which Dumouriez had come to carry out with the aid of the Duc d'Enghien, who must likewise therefore be a dangerous person.

This day was not to end without fresh appearances of the Duc's guilt being added to the preceding false evidence, already probably sufficient to have led to his seizure. In the evening Georges Cadoudal, who up to this time had succeeded in evading the most diligent efforts of the police, was recognized in a cabriolet in one of the streets of Paris, and arrested after a desperate resistance. On being questioned, he boldly declared that he had come to Paris with the express intention of making an open attack on the First Consul, and had only been delaying to carry out his purpose until the arrival of a prince at Paris, who had not yet come. The preponderating part taken by the Bourbons in the plot had long been suspected by Bonaparte; after such a formal declaration it could no longer be doubted. The only question was, *which* prince did Georges refer to? If Bonaparte had looked at the question dispassionately, and used his reason, he could have had no doubt, from the declarations which prisoners had already made, that this prince was the Comte d'Artois, who had promised to place himself at Georges' side at the critical moment; but who, as Georges said, had not yet been able to arrive at Paris, having turned back when he had come in sight of Normandy. But Bonaparte did not choose to look at it in this way; since reading Lamothe's report he had fixed it in his mind that Enghien was the guilty Bourbon prince. Why was it not likely that the Comte d'Artois, who fled so quickly in time of danger, had found in his rash young relative on the Rhine, who dared to do anything, the necessary auxiliary to Georges' plans, and that the Duc d'Enghien was to come to Paris instead of the Comte d'Artois? This idea was confirmed next morning by more evidence, fallaciously interpreted, like all the preceding evidence.

At the same time that Georges was seized, two of his servants were also arrested; in their examination the next morning, one of them, Léridont, avowed that every little while there came to his

[1] Boulay de la Meurthe, 141.

master's house at Chaillot a mysterious man whose name he did not know; but he thought the man must be a very important person, for he was well-dressed, and, whenever he came, everyone stood up, even the Polignacs and Rivière, and did not take their seats again till he was gone.[1] Having heard frequently that they were expecting a prince, Léridont said he thought this strange visitor might be he. The First Consul seized eagerly upon this information and compared it with Shée's statement, which he had received the day before, and thought it true, though in reality it was not, that Enghien had frequently entered France as far as Strasburg to go to the theatre, if not for other purposes, and that he was often absent five or six days from Ettenheim in hunting expeditions; he immediately concluded that if the Duc risked his life to go to Strasburg merely for the theatre, he would surely dare to come to Paris for a matter of such importance as a conference with his fellow-conspirators; that when he had been said to be absent from Ettenheim six days on a hunt, he had in reality been in Paris—two days to come, two days to stay and plot, and two days to return again to Ettenheim. Suppositions excited by fear and suspicion are of rapid growth. So strong was the idea that it was the Duc d'Enghien who had been in Paris, and that he even then might be in the city, that the principal houses in the Faubourg St. Germain were searched to see whether he was not actually in hiding at that moment, or whether preparations had not been made to receive him.[2] What has already been said of the Duc d'Enghien's manner of living and way of thinking need not be repeated to show the absurdity of the idea that he might be skulking secretly about in Paris. But, on the other hand, it is possible to see how the First Consul, drawing his inferences from false evidence, and looking at things, not with the fair eye of a judge, but with the eye of a man full of anger at the discovery of a conspiracy against his life, decided to seize and court-martial immediately those whom he believed to be leagued against him. We may at least do Bonaparte the justice to suppose that on March 10, when he ordered the arrest of the Duc d'Enghien, he honestly believed that he was arresting a guilty conspirator and averting a terrible catastrophe from France and from himself.

Bonaparte's experience in war and politics had taught him how necessary a quick decision and prompt execution are to success. Already the note had been despatched to the Elector of Baden ask-

[1] Nougarède, I. 237. This man was probably Pichegru, for Léridont, in repeating the names of all the friends of Georges, had not mentioned that of Pichegru; Pichegru was, however, somewhat older than the man described.

[2] Méneval, *Memoirs of Napoleon I.*, I. 249 (trans. by Sherard, 3 vols., London, 1894).

ing for the arrest of the Baroness de Reich and others ;[1] he might also now have asked the Elector to extradite Dumouriez and Enghien, and the Elector would have been glad to comply ; but Bonaparte feared that before the Elector could arrest them, his birds would have flown. Therefore he had made up his mind that the only course to pursue was to send a small body of troops into the electorate and seize the conspirators himself.

Fouché had not been inactive since his dismissal ; he often used to come and tell the First Consul news which he had secured, thanks to the influence which he had retained over the police agents and the confidences which he extracted from them, thus beating the Grand Judge at his own business. This sharper, like Talleyrand, advised the First Consul to make an example of the Duc d'Enghien which should forever strike terror into the hearts of all Bourbons and Royalists. Talleyrand further suggested that such an extreme measure would forever dispel the feeling, supposed to be entertained by some, that Napoleon would betray the Revolution and play the part in France which Monk had played in England. As for the violation of neutral territory, Talleyrand undertook to make it right with the Elector. That both Fouché and Talleyrand urged the First Consul to take this step there can be no doubt ;[2] but it is almost equally certain that it was not they who decided him to take the step, for upon that he had already made up his mind for himself, either on the morning of the 10th or more probably previously ;[3] their arguments merely added weight to his decision. After these separate talks a council, composed of the three Consuls, Talleyrand, and the Grand Judge, was held on March 10 in the evening. The Grand Judge opened the meeting with a review of the numerous proofs of the Duc's guilt. Talleyrand and Fouché repeated their reasons for favoring severity. Consul Lebrun spoke of the outcry which such an act would call forth in France and in Europe ; but before the close of the council he had been induced by the others to favor the seizure. Cambacérès alone pronounced himself decidedly op-

[1] Talleyrand's note of March 10 ; *supra*, p. 627.

[2] Both these wily men believed that their interests were not different from those of Bonaparte. Talleyrand saw that the destruction of the First Consul would in all probability overturn the fortunes of the Minister of Foreign Affairs, for he was suspected by the Jacobins on account of his birth and by the Royalists on account of his acts ; but that to disarm the conspirators by a sudden blow would be to secure to both First Consul and Minister a power which was to increase with the Empire which was already talked of. Fouché also hoped to be reappointed Minister of Police in the new imperial government. Pasquier, I. 208–214 ; Méneval, I. 269–271 ; Welschinger, 410–448 ; Chateaubriand, *Mémoires d'Outre Tombe*, II. 417–425 (Paris, 1880) ; Bourrienne, *Memoirs of Napoleon Bonaparte*, II. 254–284 (trans. by Phipps, New York, 1889).

[3] On March 1, when his attention was first seriously directed to Ettenheim by Méhée's report ; *supra*, p. 626.

posed to the step; he said he feared lest public opinion, which was already aroused in regard to Moreau, might suddenly turn in favor of the heir of the great Condé, whose youthful inexperience had been taken advantage of by Dumouriez's practised knavery; that it was only too easy to revive the remembrance of the Reign of Terror in men's minds; and finally that if the Duc, who they said had come to Strasburg and Paris, should dare to enter France again, then they could seize him and everyone would recognize that he was justly put to death. Bonaparte listened to Cambacérès without impatience,[1] and then closed the council by announcing that his mind was made up to have the Duc seized.

Bonaparte then sent for his secretary, Méneval, Berthier, Minister of War, and Generals Caulaincourt and Ordener,[2] and took down his maps of the Rhine frontier. When they had come, he dictated to Méneval precise instructions for the conduct of the capturing party, and at the same time pointed out on the map with his finger to Caulaincourt and Ordener the route which they were to take. These instructions[3] were so carefully prearranged that they were followed out four days later to the very letter. Ordener was to go to Ettenheim in the night and seize the Duc, Dumouriez, and all other suspected persons found there, and bring them prisoners to Strasburg. On the same night another body of troops under the command of Caulaincourt was to march to Offenburg and seize all émigrés and other suspects who had been denounced by Méhée. Caulaincourt was further directed to place patrols on the road from Offenburg to Ettenheim to protect Ordener, and as soon as he heard that Ordener had been successful, to send a note to the Elector telling him what had been done. Talleyrand was the man who prepared this letter,[4] which was more of a reproach than an apology, to a man who would not dare to resent it. Bonaparte had now given the order for the seizure; the execution of it was left to his

[1] Cambacérès, *Mém. Inédites* (quoted in Boulay, p. 154).

[2] Méneval, I. 250-255; Doris, *Memoirs of Napoleon*, 113 (London, 1896).

[3] *Corr. de Nap.*, 7608.

[4] "I had just written you a note asking for the arrest of the committee of émigrés at Offenburg, when the First Consul, by the successive arrests of the brigands whom the English government has vomited upon the shores of France . . . learned the whole part which the English agents at Offenburg have had in the horrible plots hatched up against his own person and the safety of France. He has heard in the same way that the Duc d'Enghien and General Dumouriez were at Ettenheim . . . and could only see with the greatest grief that His Electoral Highness . . had given an asylum to his most cruel enemies and allowed them to hatch in peace such unheard-of plots. In these extraordinary circumstances the First Consul has believed it his duty to order two small detachments to go to Offenburg and Ettenheim to seize there the instigators of a crime which, by its nature, puts outside the law of nations all persons who have clearly taken part in it . . ." Nougarède, I. 265; Talleyrand, *Memoirs*, III. 212.

subordinates. Meanwhile he went to Malmaison to spend a week until the whole affair of the Duc d'Enghien had been settled.

After receiving his instructions, General Ordener left Paris on March 11, and arrived at Strasburg late the following night. The next day, Tuesday, the 13th, he talked over the necessary preparations with Prefect Shée and Leval, the commander of the troops at Strasburg, and decided to send a couple of spies, named Stohl and Pfersdorf, to Ettenheim the next day to see that all was favorable for making the seizure. Caulaincourt, who had to wait for Talleyrand's note to the Elector and for some other instructions relative to the seizure of the Baroness de Reich and her papers, did not reach Strasburg till the afternoon of Wednesday. The two spies having returned about the same time, and reported that the Duc was still there, though they had not actually seen him, and that all was quiet, it was decided by Caulaincourt, Ordener, and Leval that not the slightest change need be made in Bonaparte's orders. They accordingly despatched the courier Thibaud to announce to Bonaparte that his orders were to be put into execution that very night (Wednesday, March 14). Ordener, who had much farther to go, set off immediately for Schlestadt, where he got some dragoons and proceeded straight to Rhinau. Here boats had been collected to take across the three hundred dragoons and the detachment of gendarmes who comprised the party. With him went Fririon the commandant of the department, Charlot, chief of the gendarmes, and the spy Pfersdorf. Ordener effected the crossing some time after midnight and proceeded straight to Ettenheim by way of Kappel and Altdorf.[1]

Of the details of the arrest and of what happened at Ettenheim a day or two previously, we have an excellent account entitled, "Les derniers jours de la vie de Monseigneur le duc d'Enghien," written by M. de Bonnay as the events were related to him a year later by Canone, a faithful servant of the Duc.[2]

"On March 12," says Canone in his delightfully simple, honest narrative, "the Duc was secretly warned that Bonaparte wished to have him seized; the news came from a trustworthy person who begged the Prince to quit Ettenheim immediately.[3]" But the Duc, little accustomed to believe in danger and still less to flee

[1] A detailed map accompanies the *Examen Impartial des Calomnies répandues sur M. de Caulaincourt à l'Occasion de la Catastrophe de Mgr. le Duc d'Enghien* which is found in *Catastrophe du Duc d Enghien*, 127–233.

[2] This is reprinted by Boulay, pp. 170–188. This account may be supplemented by Charlot's detailed report in *Catastrophe du Duc d'Enghien*, pp. 229–233.

[3] As Ordener did not arrive at Strasburg till late on the night of the 12th, no news of the expedition could have reached the Duc on that day; this was probably one of the warnings founded on likelihood only, of which the Duc had already received several.

from it, disregarded this advice, which he treated as fiction." On the 13th the Duc went hunting, but having heard the rumors of the arrest of the Baroness de Reich, "told Canone to keep watch during the night in the streets of Ettenheim. This unfortunate prince was persuaded that if Bonaparte dared to have him seized, it would only be by means of a small body of disguised brigands, and that, provided he were not surprised in his sleep, it would be easy to defend himself against them." Early Wednesday morning (March 14), Canone saw through the windows of the first story two men who were looking attentively at the house,—Stohl and Pfersdorf. "Canone went to tell his master of his discovery and offered to follow these two men and give a good account of them to him. But the Duc told Canone that he was nervous and that he was frightening himself with chimeras; he bade him calm himself, but to observe the two men and see what became of them. Canone ran off and soon returned to tell the prince that the spy Pfersdorf was keeping watch at the door of the inn, without doubt to see when he went out and get a description of him, but that as the Duc had not come out soon enough, the man, tired of waiting, had given up hope and gone away. Canone wished to follow him on horseback, but the Duc, fearing the excess and warmth of his zeal, was opposed to it, and sent in his stead Lieutenant Schmitt to try to discover the doings of the spy." Then the Duc and Canone went out into the woods to hunt, "when a peasant, coming through the woods, met them and gave the prince a letter. It was written by a resident on the left bank of the Rhine, personally known to the Duc d' Enghien[1]; it said in substance that troops were moving in the neighborhood and that all the boats had been brought to the left bank of the river as if to convey the troops across; it begged the prince to betake himself at the close of day to a little island opposite Ettenheim; the writer of the letter assured him that he would be there and would give him further details. At this news the Duc called off the dogs and returned to

[1] M. Roesch, notary public at Rhinau; there can be no doubt of this touching incident. General Fririon relates in his Memoirs (quoted in Welschinger, p. 273) that he was "dining with a certain M. Stumpf, . . . when I received an order to cross the Rhine during the night with a detachment of cavalry and go to arrest the Duc d' Enghien at Ettenheim. I was violently agitated on reading this order, which involved a violation of territory and which, for this very reason, appeared to me profoundly unjust. . . . Time pressed; I did not know the Duc d' Enghien; I had never even seen him; but even though I endangered myself, I did not hesitate to send him a warning and urge him to take his flight, feeling sure that in hindering the government from making an arbitrary arrest, I should avoid embarrassing it with a person who was not dangerous to its security." He then left the table, beckoned M. Stumpf into a private room, and, telling him the contents of the order, begged him to warn the prince. Stumpf accordingly wrote to Roesch at Rhinau, who in turn sent the note to the Duc in the forest.

Ettenheim. He went at once to the room of his secretary, M. Jacques, . . . and read him the letter he had just received. As the hour drew near, M. Jacques was of the opinion that this was no time for hesitation and that His Highness ought to go to the place indicated. After a moment of silence the Duc replied, 'All things considered, I shall not go.' M. Jacques then proposed to send Canone and the Duc consented. But it was fated that this unfortunate prince should reject all the pieces of advice which might have saved him ; at the moment when Canone was about to start, he made him stay. It was afterwards known that the giver of this advice went according to his promise and not without danger to the rendezvous, waited there a long time, and finally returned, having despaired of being able to let the prince know all that he had discovered since the time of sending the letter . . . "

But from the preparations which the Duc made that evening it is clear that he himself gave much thought to the contents of the letter and felt that it would be better to take some precautions. "He had two beds put in the room next his own, one for Grunstein and the other for Schmitt. When he had undressed he asked for his arms, had them put on a table with some ammunition, and then ordered Canone to go and make sure that all the doors of the house were well fastened ; finally he told him to have his gun by his side when he lay down." They all went to bed about eleven o'clock—the moment when the French troops were preparing to cross the river at Rhinau. About two o'clock in the morning Lieut. Schmitt thought he heard the stamping of horses. He roused Baron Grunstein ; both went to the window and waited and listened. The night was so dark they could not see anything ; the noise stopped. After a short conversation in a low voice they cast themselves, tired out, upon their beds, but ready to get up at the least alarm.

A little after five o'clock—the fifteenth of March was just dawning in the east—the sound of horses was heard again, this time more clearly and distinctly. Grunstein and Schmitt reopened the window and saw Charlot's gendarmes scaling the walls. The Duc, roused by the same noise, cried to Canone, "Quick with your gun ! they are at the door !" Seizing their guns they both went to the windows, opened them and looked out ready to fire. "Who is in command ?" shouted the Duc. "We do not have to account to you," replied a voice. The Duc took aim at the man who had spoken, when Grunstein, stepping in from the next room, laid his hand on his arm and asked, "Are you compromised ?" To the Duc's reply that he was not, Grunstein said there was no use resisting, especially as the court was full of soldiers, and it would only make matters worse to shoot their officer.[1]

[1] Narratives of Canone, Schmitt and Charlot. It seems, however, that Grunstein

"Then Canone, seeing that all was lost, ran to a servant's room where he still had some hope of saving the Duc; two footmen had already left successfully out of the windows; if the Duc had tried it he would never have been found nor harmed; the two footmen never were. Canone returned to beg him to do this, since resistance was no longer possible. But the Duc could never make up his mind to flee." A moment later the gendarmes entered the room, and Charlot ordered his men to take all the prisoners, including Jacques, who for some days had been sick in bed, outside the town and wait for him near a mill called the Tuileries on the road to Kappel. Here again Canone's narrative shows his devotion to his master and his own harmless self-conceit: "Here by the mill was a small stream which people crossed on a narrow plank. Canone made several signs to the Duc to show him the passage. From the other side of the stream it was only a five minutes' run to reach the vineyard, and if the Duc, who ran better than anybody, could have reached it, he would have been lost from sight; some balls would, perhaps, have whistled about his ears; but he would have escaped. This inspiration of Canone, who, as we have seen, never lost his head for an instant, was the fifth or sixth means of safety which he had indicated to his master; the others had been rejected; this last was not understood."

Meanwhile Charlot had gone to the house where Pfersdorf said Dumouriez lived, and found there, not the ex-general as he had expected, but only the aged Marquis de Thumery. "I gathered information," said Charlot in his report, "to know whether Dumouriez had appeared at Ettenheim; I was assured that he had not; I presume that this was only a supposition, resulting from confounding his name with that of General Thumery. . . The Duc d'Enghien has assured me that Dumouriez has not come to Ettenheim; that, however, it was possible that he had been charged to bring him instructions from England, but that he had not received them, because it was beneath his rank to have anything to do with such men." There was no longer the slightest doubt of the blunder about

was mistaken in thinking resistance was useless. Ordener and the main body of troops had not yet arrived, either being delayed in crossing the Rhine or having waited outside of Ettenheim. Ségur, who a few weeks later heard the account of the seizure from Charlot's own mouth at Strasburg, says (*Mémoires*, Vol. II., p. 257), "The fatal shot would have been fired, thus beginning a conflict in which all the chances, according to the commandant himself, would have been *against* the assailants, when the prince's evil genius caused Grunstein to put his hand," etc. Boulay de la Meurthe (p. 179) quotes a police note to the following effect: "The Duc had sixty shots ready to fire and seven persons with him. The house was as yet surrounded by only thirty gendarmes and dragoons. If resistance had been made and the villagers, who were devoted to the Duc, had had time to arrive, the result of the expedition would have been uncertain, and, whatever it had been, French blood would have been spilled."

Dumouriez.[1] Then, having possessed himself of all the Duc's papers, Charlot returned to the mill, put the prince and the other prisoners in a peasant's cart, and conducted the sad group back to the Rhine by way of Graffhausen and Kappel, and thence finally to Strasburg, which they reached about four in the afternoon.

This same Thursday afternoon, after Caulaincourt and Ordener had returned to Strasburg, they despatched the courier Amadour to Bonaparte to announce the successful arrest of the Duc. The two days, which elapsed before further orders from the First Consul reached Strasburg, were for the unhappy prisoner full of gloom and uncertainty as to the future.[2] He was also much troubled in his heart for the Princess Charlotte, lest the news might prostrate her, or lest she might attempt to follow him and share his lot. Friday morning he wrote to her: "My whole fear is that this letter will not reach you at Ettenheim and that you have already started to come here. . . They believe that Dumouriez and I have had conferences together, and apparently he is implicated in the conspiracy against the life of the First Consul. But my ignorance of that whole matter makes me hope that I shall obtain my liberty soon. . . The attachment of my servants draws tears to my eyes constantly; they could have escaped; they were not forced to follow me; they preferred to; I have Féron, Joseph and Poulain; good Mohiloff[3] has not left me for a single step. . . Adieu, princess; you have known for a long time my tender and sincere attachment for you; free or in prison it will always be the same. . ."[4] This touching letter, full of tenderness and confidence, never reached its destination.

On Friday, March 16, the Duc wrote in his journal: "At half past four, they come to examine my papers, which Col. Charlot, accompanied by a commissary of safety [Popp], opens in my presence. They read them superficially. They do them up in separate bundles and leave me to understand that they are to be sent to Paris. I must then languish weeks, perhaps months! My grief increases, the more I reflect on my cruel position. I go to bed at eleven o'clock; I am worn out and cannot sleep."

The following day was less sad. In the afternoon Charlot came to him to get him to sign the procès-verbal of the opening of his papers. "I ask," wrote the prince in his journal, "and obtain per-

[1] This report reached Bonaparte March 19, so that he too knew two days before the execution of the Duc that he had been mistaken in thinking Dumouriez was at Ettenheim.

[2] See the *Private Journal of the Duc* from March 15 to March 18, which was taken from his pocket just before he was thrown into his grave. *Catastrophe du Duc d'Enghien*, pp. 88–91.

[3] The Duc's dog.

[4] Enghien to Princess Charlotte, quoted in Nougarède, I. 285–288.

mission to add an explanatory note to prove that I have never had any other intentions than to serve in war and make war."[1] The papers and procès-verbal were then despatched by Ordener to Bonaparte[2] and reached him Monday morning. But it is a significant fact, as will be pointed out below, that Bonaparte never sent these papers and the procès-verbal with this explicit denial by the Duc of his guilt, to the court-martial which was to try him and which ought to have had all the evidence before it; instead he sent them to Réal and told him to keep them secret.

Saturday evening the prince had been told that according to orders received from Paris he was to have more liberty in his captivity; he was shown a garden where he could walk and all the prisoners were to be allowed to attend mass together on the morrow, which was Passion Sunday. Seeing in this amelioration of the rigors of his captivity a possibility of early release, he went to bed happier than on the previous evenings.[3] But he was cruelly disappointed. In the middle of the night he was suddenly awakened and given scarcely time to dress and no time at all to eat anything before he was hustled into a guarded carriage. His servants begged to be allowed to accompany him, but this was refused; the devoted Mohiloff jumped into the carriage however, and when the prince asked that this single friend might go with him, he was not refused. Long before day dawned over Strasburg the Duc d'Enghien was out on the dark highroad to Paris in the bitter chill of a March night, being hurried rapidly to his trial and death. He went under the false name of Plessis; it was Bonaparte's will that everything in connection with the Duc should be done secretly and in the night.

All this was in accordance with orders which had just arrived from the First Consul. It will be remembered that Caulaincourt had despatched the courier, Thibaud, to Bonaparte on the afternoon of March 15, a few hours before the seizure was made. Upon his arrival at Malmaison late the following night Bonaparte wrote to Réal: "I have received a courier from Strasburg. It is during the night of the 23–24 Ventôse (*i. e.*, March 14–15) that the expedition will take place. . . . Write immediately to General Caulaincourt that I have received his letter; that if they have

[1] "*Que je n'ai jamais eu d'autres intentions que de servir et faire la guerre*,"—*Catastrophe du Duc d'Enghien*, p. 90.

[2] The note which Ordener sent along with these papers is given in *Catastrophe du Duc d'Enghien*, p. 233. Ordener made an oversight in dating it 24 Ventôse (March 15) instead of 26 Ventôse (March 17); for the statement in the Duc's journal is explicit that his papers were opened on the 16th and sent with the procès-verbal by a special courier to Paris on the afternoon of March 17 (Saturday).

[3] "Je soupe et me couche plus content." *Journal of the Duc.*

captured either the Duc d'Enghien or Dumouriez, he is to hurry them into two separate carriages under a good and sure guard and send them to Paris. . . . Ask the commandant at Vincennes for information about the individuals in that fortress and where he could put the prisoners." [1]

The Duc d'Enghien had travelled steadily from Strasburg toward Paris without any event of importance, and reached the barrier outside the city about four o'clock Tuesday afternoon (March 20), having been about sixty-three hours on the road. When near Paris a courier had been despatched to Bonaparte at Malmaison to notify him that the Duc would reach the barrier at five o'clock in the afternoon at the latest. Bonaparte instantly sent a messenger to the barrier with orders that the carriage was to go around the walls, and that the Duc should be lodged in the castle of Vincennes.[2] It was, therefore, between six and seven o'clock that a weary prisoner, pale with fatigue, hunger and cold, known under the name of Plessis, was driven in at the drawbridge of the château of Vincennes. It was the third time that a Condé had entered its sombre walls as a prisoner. In 1627 Henri de Condé had been sent there by Richelieu; in 1650 "le grand Condé" by Mazarin. The first two had left its walls free and happy men; a different fate was awaiting this last scion of the great family.

Harel, who had been appointed by Bonaparte commandant of the castle of Vincennes in 1801 as a reward for his denunciation of the plot of Aréna and Céracchi, had been notified late that very afternoon by a letter from Réal that a "prisoner, whose name must not be known, . . . will probably arrive at the castle of Vincennes to-night. . . . It is the intention of the government that everything shall be kept very secret about him and that no questions shall be asked as to who he is or why he is detained."[3] Harel received his mysterious prisoner kindly and sent immediately to a neighboring inn to get a supper for him, as the Duc had had nothing to eat since early morning. The meal was small, but the Duc insisted on sharing what there was of it with his devoted travelling companion, the faithful Mohiloff. After supper the Duc had some conversation with Harel and then went to bed early and dropped into a sound sleep after his two fatiguing days and nights on the journey.

SIDNEY B. FAY.

[1] Bonaparte to Réal, March 15; *Corr. de Nap.*, 7620.

[2] In view of all the contemporary evidence which says that the Duc's carriage went straight from the barrier along the outskirts of Paris to Vincennes, we do not agree with Welschinger's statement (p. 297 *seq.*) that the Duc was taken to Talleyrand's house, nor with the elaborate indictment against Talleyrand which he builds up on the theory that Talleyrand saw the Duc's carriage approaching his house and left it as fast as he could.

[3] Nougarède, I. 305.

THE DELAWARE BILL OF RIGHTS OF 1776

ALTHOUGH the Delaware constitution of 1776 expressly mentions a bill of rights, declaring that "no article of the declaration of rights and fundamental rules of this State, agreed to by this convention . . . ought ever to be violated on any pretence whatever,"[1] for some inexplicable reason this bill of rights is not included by Poore in his *Charters and Constitutions*.[2] As Delaware was one of the first states, after the outbreak of the Revolution, to adopt a constitution and bill of rights, this document is not merely of interest, but of positive constitutional importance, and its omission by Poore is the more to be regretted because, his work having become the accepted authority for all of our former constitutions, the student of to-day is but too likely to accept the omission on his authority without further question. It is, therefore, desirable to call attention to this bill of rights, which has been too long neglected.

It can be found in several of the newspapers and periodicals of the time,[3] in many of the earlier collections of state constitutions,[4] and, most accessibly, in Force's *American Archives*.[5] It consists of twenty-three articles, which include most of the rights formulated by Virginia and Pennsylvania, together with many of the provisions of the Maryland declaration. On reading these articles one is impressed with their likeness to the corresponding articles of the Pennsylvania and Maryland bills of rights, and the similarity is so striking as to merit a more careful consideration. In the following comparison the Delaware bill of rights is given in full, with those articles of the Maryland and Pennsylvania declarations which most closely correspond.[6]

[1] Article 30.

[2] Professor Jellinek, *Die Erklärung der Menschen- und Bürgerrechte* (Leipzig, 1895), p. 13, notices this omission and at the same time calls attention to the fact that a French translation of the American constitutions, which appeared in 1778, included such a bill of rights for Delaware. Professor Schouler, *Constitutional Studies*, p. 40, n. 2, also notes the omission by Poore.

[3] *Pennsylvania Gazette*, October 2, 1776; *Maryland Gazette*, October 3, 1776; *The Remembrancer; or, Impartial Repository of Public Events, For the year 1776*, Part III. (London, 1777).

[4] There has come within the writer's notice such a collection published in 1791 in Philadelphia by Carey, Stewart and Co., and another published as late as 1797 in Boston by Manning and Loring, in both of which it is contained.

[5] Fifth Series, Vol. II., pp. 286, 287.

[6] The text in each case is taken from Force's *American Archives*, Fifth Series: Delaware from Vol. II., pp. 286, 287; Pennsylvania from Vol. II., pp. 22, 23; Mary-

In Convention of the Delaware State, Wednesday, September 11, 1776, A. M.

A Declaration of Rights and Fundamental Rules of the Delaware State, formerly styled the Government of the Counties of New-Castle, Kent and Sussex, upon Delaware.

1. That all government of right originates from the people, is founded in compact only, and instituted solely for the good of the whole.

2. That all men have a natural and unalienable right to worship Almighty God according to the dictates of their own consciences and understandings, and that no man ought, or of right can be compelled to attend any religious worship or maintain any ministry contrary to or against his own free will and consent, and that no authority can or ought to be vested in, or assumed by any power whatever, that shall in any case interfere with, or in any manner control, the right of conscience in the free exercise of religious worship.

The Pennsylvania Declaration of Rights adopted by the Convention August 16, 1776.

The Maryland Declaration of Rights adopted by the Convention November 3, 1776.

Maryland.

1. That all government of right originates from the people, is founded in compact only, and instituted solely for the good of the whole.

Pennsylvania.

2. That all men have a natural and unalienable right to worship Almighty God according to the dictates of their own consciences and understanding; and that no man ought, or of right can, be compelled to attend any religious worship, or erect or support any place of worship, or maintain any ministry, contrary to, or against his own free will and consent; nor can any man who acknowledges the being of a *God*, be justly deprived or abridged of any civil right as a citizen, on account of his religious sentiments, or peculiar mode of religious worship; and that no authority can or ought to be vested in, or assumed by, any power whatever that shall in any case interfere with, or in any manner control, the right of conscience in the free exercise of religious worship and privileges.

land from Vol. III., pp. 136–139, 143–147. In the Maryland Convention the bill of rights was reported from the committee of the whole house on October 31, and the wording in several instances was modified before its final adoption on November 3. As the first draft is more nearly like the Delaware declaration, both forms have been given in this comparison. The wording in the parentheses is that of the draft reported by the committee of the whole; the changes that were made before its final adoption are italicised.

3. That all persons professing the Christian religion ought forever to enjoy equal rights and privileges in this State, unless under colour of religion any man disturb the peace, the happiness, or safety of society.

Maryland.

(34) 33 . . . no person ought by any law to be molested in his person or estate on account of his religious persuasion or profession, or for his religious practice, unless under colour of religion any man shall disturb the good order, peace, or safety of the State, or shall infringe the laws of morality, or injure others in their natural, civil, or religious rights ; etc.

4. That the people of this State have the sole, exclusive, and inherent right of governing and regulating the internal police of the same.

Pennsylvania.

3d. That the people of this State have the sole, exclusive and inherent right of governing and regulating the internal police of the same.

Maryland.

4. That all persons (entrusted) *invested* with the Legislative or Executive powers of Government, are the trustees (and servants) of the publick, and as such accountable for their conduct ; wherefore, whenever the ends of Government are perverted, and publick liberty manifestly endangered, and all other means of redress are ineffectual, the people may, and of right ought to reform the old, or establish a new Government ; the doctrine of non-resistance against arbitrary power and oppression, is absurd, slavish, and destructive of the good and happiness of mankind.

5. That persons entrusted with the Legislative and Executive powers are the trustees and servants of the publick, and as such accountable for their conduct ; wherefore, whenever the ends of Government are perverted and publick liberty manifestly endangered by the Legislative singly, or a treacherous combination of both, the people may, and of right ought to, establish a new or reform the old Government.

Maryland.

5. That the right in the people to participate in the Legislature is the best security of liberty, and the foundation of all free Government; for this purpose elections ought to be free and frequent, and every

6. That the right in the people to participate in the Legislature is the foundation of liberty and of all free government, and for this end all elections ought to be free and frequent ; and every freeman having

sufficient evidence of a permanent common interest with, and attachment to, the community, hath a right of suffrage.

7. That no power of suspending laws or the execution of laws ought to be exercised, unless by the Legislature.

8. That for redress of grievances, and for amending and strengthening of the laws, the Legislature ought to be frequently convened.

9. That every man hath a right to petition the Legislature for the redress of grievances in a peaceable and orderly manner.

10. That every member of society hath a right to be protected in the enjoyment of life, liberty, and property, and therefore is bound to contribute his proportion towards the expense of that protection, and yield his personal service when necessary, or an equivalent thereto; but no part of a man's property can be justly taken from him or applied to publick uses without his own consent or that of his legal representatives: nor can any man that is conscientiously scrupulous of bearing arms in any case be justly compelled thereto if he will pay such equivalent.

man having property in, a common interest with, and an attachment to, the community, ought to have a right of suffrage.

Maryland.

7. That no power of suspending laws or the execution of laws, unless *by or* derived from the Legislature, ought to be exercised or allowed.

Maryland.

10. That for the redress of grievances, and for amending, strengthening and preserving the laws, the Legislature ought to be frequently convened.

Maryland.

11. That every man hath a right to petition the Legislature for the redress of grievances, in a peaceable and orderly manner.

Pennsylvania.

8th. That every member of society hath a right to be protected in the enjoyment of life, liberty, and property, and therefore is bound to contribute his proportion towards the expense of that protection, and yield his personal service, when necessary, or an equivalent thereto; but no part of a man's property can be justly taken from him, or applied to publick uses, without his own consent, or that of his legal representatives: nor can any man who is conscientiously scrupulous of bearing arms, be justly compelled thereto, if he will pay such equivalent: nor are the people bound by any laws but such as they have in like manner assented to for their common good.

11. That retrospective laws punishing offences committed before the existence of such laws are oppressive and unjust, and ought not to be made.

Maryland.

15. That retrospective laws, punishing facts committed before the existence of such laws, and by them only declared criminal, are oppressive, unjust, and incompatible with liberty; wherefore no *ex post facto* law ought to be made.

12. That every freeman for every injury done him in his goods, lands, or person, by any other person, ought to have remedy by the course of the law of the land, and ought to have justice and right for the injury done to him freely without sale, fully without any denial, and speedily without delay, accord- to the law of the land.

Maryland.

17. That every freeman for (every) *any* injury done to him in his (goods, lands, or person,) *person or property*, ought to have remedy by the course of the law of the land, and ought to have justice and right, freely without sale, fully without any denial, and speedily without delay, according to the law of the land.

13. That trial by jury of the facts where they arise, is one of the greatest securities of the lives, liberties, and estates of the people.

Maryland.

18. That the trial of facts where they arise, is one of the greatest securities of the lives, liberties, and estate of the people.

14. That in all prosecutions for criminal offences, every man hath a right to be informed of the accusation against him, to be allowed counsel, to be confronted with the accusers or witnesses, to examine evidence on oath in his favour, and to a speedy trial by an impartial jury, without whose unanimous consent he ought not to be found guilty.

Maryland.

19. That in all criminal prosecutions, every man hath a right to be informed of the accusation against him, to have a copy of the indictment or charge in due time—if required—to prepare for his defence, to be allowed counsel, to be confronted with the witnesses against him, to have process for his witnesses, to examine the witnesses for and against him on oath, and to a speedy trial by an impartial jury, without whose unanimous consent he ought not to be found guilty.

15. That no man in the courts of common law ought to be compelled to give evidence against himself.

Maryland.

20. That no man ought to be compelled to give evidence against himself in a court of common law, or in any other court, but in such cases (only) as have been usually practised in this State, *or may hereafter be directed by the Legislature.*

16. That excessive bails ought not to be required, nor excessive fines imposed, nor cruel nor unusual punishments inflicted.

Maryland.

22. That excessive bail ought not to be required, nor excessive fines imposed, nor cruel or unusual punishments inflicted by the court of law.

17. That all warrants without oath to search suspected places, or to seize any person or his property, are grievous and oppressive; and all general warrants to search suspected places, or to apprehend all persons suspected, without naming or describing the place or any person in special, are illegal and ought not to be granted.

Maryland.

23. That all warrants without oath, or affirmation (of a person conscientiously scrupulous of taking an oath), to search suspected places, or to seize any person, or (his) property, are grievous and oppressive; and all general warrants to search suspected places, or to apprehend (all persons suspected) *suspected persons*, without naming or describing the place, or (any) *the* person in special, are illegal, and ought not to be granted.

18. That a well-regulated Militia is the proper, natural, and safe defence of a free Government.

Maryland.

25. That a well-regulated Militia is the proper and natural defence of a free Government.

19. That standing armies are dangerous to liberty, and ought not to be raised or kept up without the consent of the Legislature.

Maryland.

26. That standing armies are dangerous to liberty, and ought not to be raised or kept up without consent of the Legislature.

20. That in all cases and at all times the military ought to be under strict subordination to and governed by the civil power.

Maryland.

27. That in all cases and at all times the military ought to be under strict subordination to, and control of, the civil power.

21. That no soldier ought to be quartered in any house in time of peace without the consent of the owner; and in time of war, in such manner only as the Legislature shall direct.

22. That the independency and uprightness of judges are essential to the impartial administration of justice, and a great security to the rights and liberties of the people.

23. That the liberty of the press ought to be inviolably preserved.

Maryland.

28. That no soldier ought to be quartered in any house in time of peace without the consent of the owner, and in time of war in such manner only as the Legislature shall direct.

Maryland.

30. That the independency and uprightness of Judges are essential to the impartial administration of justice, and a great security to the rights and liberties of the people; wherefore . . . etc.

Maryland.

38. That the liberty of the press ought to be inviolably preserved.

Inasmuch as the Pennsylvania bill of rights was adopted on August 16, and was printed in the *Pennsylvania Gazette* of August 21, it must have been in the hands of the members of the Delaware convention when they assembled at Newcastle one week later, and it is, therefore, evident that Delaware drew upon Pennsylvania for certain of the provisions in framing her declaration of rights.[1]

The question of priority between Delaware and Maryland is not so easily disposed of. The Delaware convention met at Newcastle on the twenty-seventh of August and issued its declaration of rights two weeks later, on September 11. The convention of Maryland assembled at Annapolis on August 14 and did not adopt a bill of rights until the third of November. But among the first matters to claim the attention of the Maryland delegates was this one of a bill of rights, and among the first committees elected was one to prepare a declaration of rights and a form of government. Within two weeks after the opening of the session, on the same day that the Delaware convention first assembled, that committee reported to the convention a "Declaration and Charter of Rights; which was read, and ordered to be printed for the consideration of the Members." This same draft, modified and amended by a committee of the whole house, was finally adopted as the declaration of rights for Maryland.[2]

[1] Not merely the three articles given in the above comparison, but also nine others, making practically the whole of the Pennsylvania declaration, are included in substance in Delaware's bill of rights.

[2] *Proceedings of the Maryland Convention*, August 17 and 27, and October 10—November 3.

It would seem, then, as if Maryland had preceded Delaware in the enunciation of those articles which their bills of rights have in common. But was such the case? A copy of the original draft presented by the committee on August 27 would at once settle the whole question, but unfortunately, although the draft was ordered to be "printed for the consideration of the people at large, and twelve copies thereof be sent without delay to each County in this State,"[1] a very thorough investigation of the accessible records and documents of Maryland has as yet failed to reveal any such copy.[2]

The committee's draft of a bill of rights was immediately ordered to be printed, but that was only for the use of the convention; it was not until September 17 that the order for its distribution throughout the state was passed, and six days before that date the Delaware declaration had been adopted. Therefore if the members of the Delaware convention had the benefit of Maryland's first draft in the preparation of their own bill of rights, it must have been received through private correspondence; and as in those times several days were required for the transmission of a letter from Annapolis to Wilmington, to have been of any service a copy must have been despatched immediately on the presentation of the committee's report, for only two weeks elapsed before the Delaware convention had completed its work. It is, therefore, improbable that Delaware could have profited by Maryland's declaration of rights. The members of the Maryland convention, on the other hand, had every opportunity to avail themselves of the Delaware bill of rights. It was printed in full in the *Maryland Gazette* of October 3, and they did not take up the consideration of their committee's report until October 10.[3] And though they deliberated on this subject almost daily in committee of the whole, they did not complete their labors until the thirtieth,[4] so that ample time was given for changes to any extent that the convention might have seen fit to make. And that very extensive changes were made appears from the motion of one of the members that before its final adoption the bill of rights be reprinted, because the draft "formerly printed for the consideration of the Members of the Convention had been materially altered by a Committee of the Whole House."[5]

Furthermore, it must be remembered that the rights which the

[1] *Ibid.*, September 17.

[2] The writer is under great obligations to Mr. St. George L. Sioussat of Baltimore for his prosecution of these investigations in that city, and also for valuable suggestions upon several points in this article.

[3] *Proceedings of the Maryland Convention*, October 10.

[4] *Ibid.*, October 10–30.

[5] *Ibid.*, October 30.

states were proclaiming at that time were not regarded by them as provisions that were valid only within their respective boundaries; they were declaring principles of universal application.[1] Accordingly what Virginia had declared in her bill of rights Pennsylvania also declared, changing the language and adding somewhat, but omitting only such as apparently seemed superfluous, because they had already been affirmed in the English Bill of Rights. And the principles which Virginia and Pennsylvania had announced were included in the bills of rights of Delaware and Maryland. That Maryland's declaration included all of the rights proclaimed by Delaware, while Delaware's declaration did not include all of those proclaimed by Maryland, certainly argues in favor of a later date for the Maryland instrument.

If, then, we accept what seems to be the more probable, indeed almost certain conclusion that it was Maryland which was indebted to Delaware, and not Delaware to Maryland, for those rights which the two states enunciated in such similar language, and if we decide that it was when the Maryland convention was considering the bill of rights in committee of the whole that the articles of the Delaware declaration were inserted, we have a ready explanation of the fact that the draft as reported from that committee bears a closer resemblance to the Delaware bill of rights than the form finally adopted, after the articles had been somewhat modified on a second consideration.

MAX FARRAND.

[1] Bancroft, *History of the United States* (Author's Last Revision), IV. 419.

THE ORIGIN OF GENET'S PROJECTED ATTACK ON LOUISIANA AND THE FLORIDAS

From the point of view of the foreign relations and particularly of the maintenance and expansion of the territorial basis of the United States, the decade from 1793 to 1803 was a critical period in American history. To one who appreciates the importance of the possession of the Mississippi Valley and its approaches in the history and destiny of the United States, these years are alive with interest. It was in this decade that Wayne's victory turned the tide against the Indians in the Northwest, and Jay's treaty relieved it of English occupation; then it was that Spain's intrigues with Indian scalping parties and Kentucky malcontents, her claims in the Southwest, and her closure of the Mississippi to the products of the West, came to an end. At the close of the decade the nation, having thus secured its flanks, took its gigantic march across the Mississippi by the Louisiana Purchase.

One of the gravest of the dangers of this period, however, has not received the attention which its importance warrants. The mission of Genet has been chiefly considered as a matter of his own personality, in the effects which his enthusiasm and his democratic societies produced upon party crystallization, and in regard to his demands for money and the use which he made of our ports.[1] His picturesque effrontery in lecturing the government and his threatened appeal from Washington to the people, have perhaps concealed from us the most important feature of his mission, namely the desire of the French Republic to form connections with the frontiersmen of America and to seize Louisiana, the Floridas and Canada as a part of the same enthusiastic crusade for liberty that carried the French armies across the European frontiers in the early days of the Revolution. In this case France reckoned upon the active support or the connivance of the American people, and particularly upon the irate Kentuckians, to aid her in repelling the hated Spaniard from the approaches to the Mississippi and perhaps from both Americas. It was an attractive programme. The enthusiasm for revolutionary France, and the Western resentment

[1] Dr. von Holst, *Constitutional History of the United States*, I. 113–120, has used DeWitt, *Thomas Jefferson*, to put the main purpose of France in a clearer light; but he does not go at any length into the Western intrigue.

against the power that closed the Mississippi, made it possible that this fierce young French Republic, strong with the zeal of the Revolution, might be able to succeed the decadent Spanish monarchy on the Gulf of Mexico, and hold the gratitude and friendship of the men of the West. What this transfer under such conditions might have meant, European history in the years that soon followed may enable us to guess. But in the way of this outcome stood George Washington. By throwing the weight of a vigorous policy and his powerful influence in favor of strict adherence to the duty of neutrality, he blocked the plan of France and performed one of the greatest of his services to America.

It is not strange that France in her revolutionary renaissance, and when war was about to be declared upon England and Spain, should have turned her eyes toward the remains of her colonial glory in Canada and Louisiana. Indeed it is one of the significant elements in her policy during the War of Independence that she never lost sight of the weakness of Spain, or of the advisability of keeping the United States a dependent ally, restricted within the limits of the Alleghanies. Her statesmen were well aware of the looseness of the federal bond in the Confederation and of the disaffection of the West. Memoirs for the recovery of Louisiana were framed for presentation to the government of the Old Régime. In 1787 Lord Dorchester sent home from Canada a copy of a memoir[1] presented to the French minister in the United States and by him forwarded to his court. The object of its author was to induce France to retake Louisiana. He argued that separation was the inevitable destiny of the West. "Unity," he said, "is broken by the Mountains. Those beyond seek for a new support and they offer to the power which will welcome them, advantages which will before long efface those which America, as it now is, could promise. These may be seen at a glance, from the Appalaches to the mountains of New Mexico, and from the Lakes of Canada to the mouth of the Mississippi. Here is a zone of the globe capable of containing fifty million inhabitants, situated in a continuous plain, inclosed in the same compass, of which all the parts have a close connection, a common and indivisible point of trade and navigation. In a few years will be born a new policy, and it is a colony not yet perceived which will hatch the germ. It requires a protector; the first who will stretch out his arms to it will have made the greatest acquisition that could be desired in this New World. Fortunate my country

[1] *Report Canadian Archives*, 1890, pp. 108–117. See also Report of Historical Manuscripts Commission, in the *Report of the American Historical Association*, 1896, pp. 946, 947.

if she does not let this moment escape, one of those not presented twice."

This discontent of the West and the weakness of the ties that bound it to the coast had also been shown in proposals by malcontents to England[1] and to Spain. General Wilkinson, the most consummate artist in treason that the nation ever possessed, received Spanish money for his efforts to carry Kentucky from the Union, and even George Rogers Clark, the conqueror of the Illinois country in the famous campaign of 1778 and 1779, had desired in 1788 to take service under Spain in return for a liberal land grant. Clark was disgusted with the neglect which Virginia and the United States gave to his claims. His friend and adviser in this period was Dr. James O'Fallon, a Revolutionary soldier, who later married Clark's youngest sister. One of the famous Yazoo land companies[2] which purchased from Georgia a part of her western claims, was the South Carolina Yazoo Company, of which the active agent was this Dr. O'Fallon. Since the colony was to be located in the region of the present Vicksburg, in territory claimed by Spain, O'Fallon attempted to conciliate that power by assuring Governor Miro that the colonists had been led to "consent to be the slaves of Spain, under the appearance of a free and independent colony, forming a rampart for the adjoining Spanish territories and establishing with them an eternal reciprocal alliance, offensive and defensive." In this proposed separation from the Union, it was rumored

[1] Professor J. F. Jameson has called my attention to an interesting proposition of this period made to the British authorities.

In a letter of Phineas Bond, British Consul in Philadelphia, written to the Foreign Secretary, the Duke of Leeds, and dated January 3, 1791, he says: "In case of a rupture with Spain, my Lord, it may become an object of consideration with Government how far the Spanish settlements on the Mississippi near the mouth of that river might be accessible to [a] force collected near the Ohio and conveyed down the rivers in craft calculated for that purpose. Perhaps it might be deemed too hazardous an undertaking to engage in an enterprise of this sort without the concurrence of the United States, nor could such a concurrence be expected but upon [the basis] of stipulations reciprocally beneficial yet it may [be] expedient to observe, my Lord, that the western settl[ements] have constantly murmured at the restrictions laid upon their exports, thro' the medium of the Mississippi, by the Court of Spain. It is but reasonable to suppose would favor nay co-operate in any measure that m[ight] tend to secure them a free trade which the uninterr[upted] passage of the Mississippi would effectually establish.

"The settlers, my Lord, upon the whole frontier of the United States are a hardy race of men. Adventurers by profession, and ready to seize every opportunity of profit or employment. I could not presume, my Lord, to delineate the plan of such an enterprize tho' I can not restrain a suggestion which may be improved by others more conversant with subjects of this nature." Compare England's intrigue with Miranda in John Adams' administration.

[2] Haskins, "Yazoo Land Companies," *Papers of the American Historical Association*, V. 69, 71, 72.

that George Rogers Clark had been selected as chief in command of the battalion which O'Fallon organized. In 1790 "it was expected in Lexington that General Scott would take five hundred families to the settlement and that Wilkinson and Sevier would follow, each with a thousand fighting men and their families. General McDowell accompanies the Frankliners from the Long Island, where they are to embark with 300 from the back parts of North Carolina and 200 with Capt. Alston from Cumberland." Washington's proclamation and the prospect of the use of force, together with Spanish opposition, put an end to the project; but the reports about the expedition reveal unmistakable symptoms. The frontiersmen were about to advance. Their produce was useless if the Mississippi were closed. They were weary of the incessant Indian war on their borders. The federal government discouraged their attacks on the savages and appeared indifferent to the closing of navigation by Spain. To the frontiersmen the essential thing was relief from this intolerable situation. The new government had not yet approved its value to them; the future of a united nation extending from Atlantic to Pacific appealed less to their imagination than did the pressing need of themselves possessing the portals of the great valley which they occupied. There appeared to be two solutions of the difficulty, either to come to an agreement with Spain, which would open the Mississippi, stop the Indian raids and furnish them with liberal land-grants, or to fight their way out. In either case Spain would not long have withstood this hardy backwood stock. While thus the West seethed with intrigues, with projects of colonization in Spanish territory and with yearnings for war, there came the reports of the wars of the French Revolution and perhaps intimations of the policy of France with respect to the Spanish dependencies in America.[1]

It is, therefore, not at all surprising that at Christmas time, in 1792, General Clark and Dr. O'Fallon concerted a plan for an attack on Louisiana under the French flag. This proposition, together with a private letter from O'Fallon to his friend Thomas Paine, then a member of the Convention, would seem to have reached France before Genet sailed.[2] In the meantime, and entirely

[1] Sorel, *L'Europe et la Révolution Française*, III. 157; Jefferson, *Writings*, ed. Ford, I. 216.

[2] At least that careful Western student, Dr. Lyman C. Draper, in a note to the George Rogers Clark Manuscripts, in the State Historical Society of Wisconsin, mentions that Paine wrote in answer to O'Fallon, from Passy, February 17, 1793, conveying the idea that Clark's application had gone through the medium of the French minister to the United States and that the proposal had been laid before the Provisory Executive Council of the Republic. However this may have been, Clark, as we shall see later, learning of Genet's mission, wrote to him (February 2, 1793), and this letter was received by the minister on

independently, the French government was devoting attention to the project of operations in America. Brissot de Warville, one of the leaders of the Girondins, or Brissotins, was a warm admirer of America. In 1788 he had traveled in the United States, and he brought the fruits of his observations into his *Nouveau Voyage dans les États-Unis* (Paris, 1791). He had noted the discontent of the Westerners over Spain's closure of the Mississippi. "They are determined," he wrote, "to open it with good will or by force; and it would not be in the power of Congress to moderate their ardor. Men who have shook off the yoke of Great Britain, and who are masters of the Ohio and the Mississippi, cannot conceive that the insolence of a handful of Spaniards can think of shutting rivers and seas against a hundred thousand free Americans. The slightest quarrel will be sufficient to throw them into a flame; and if ever the Americans shall march toward New Orleans, it will infallibly fall into their hands." Brissot pressed for the war with Austria, and as the current of the revolution hastened towards a general European conflict, he became more and more interested in the problems of foreign relations. Saint Just afterward declared, in his report on the proscribed Girondin deputies (July 9, 1793), that "the attention of Brissot extended to the other hemisphere, Brissot ruled the Council." It was partly due to his influence that Lebrun was made minister of foreign relations in the summer of 1792. Another intimate friend of Brissot was Clavière, the Genevese banker, who became minister of finance in the spring of the same year. He had accompanied Brissot in one of his journeys through America, and was, with him, the author of the works, *De la France et des États-Unis* (London, 1787) and *Commerce of America with Europe*. Otto, chief secretary of a division of Lebrun's office, had been private secretary to Luzerne, during his American mission, and was later chargé d'affaires in the United States, from which he returned in 1792. Otto declared, in 1797, that Brissot, who had unlimited influence in the diplomatic circle, proposed Genet as minister to the United States.[1] Thus the innermost circles of the Girondist authorities were strongly affected by American influence.

Lebrun was now considering the probability of a war with Spain; Miranda, who had visited the United States soon after the War of Independence, and whose South American exploits were to make him famous, had come to confer with him about the project of a

his arrival in this country; and with his answer (July 12), Genet forwarded Paine's reply to Dr. O'Fallon's letter. Conway, *Life of Paine*, II. 156; *Report of the American Historical Association*, 1896, pp. 967, n. 2; 986, 987, 996, 1007.

[1] Archives des Affaires Etrangères, États Unis., Vol. 47, folio 401.

revolution in the Spanish colonies. Brissot desired to make use of Miranda, aided by over 30,000 San Domingo troops. But more moderate plans were chosen. Lebrun decided to send Genet to the United States, with a secret mission to foment the revolution (Lebrun to Dumouriez, November 6, 1792).[1] Jefferson afterwards noted that Col. W. S. Smith,[2] who left Paris November 9, 1792, reported that they were sending Genet here, and that "the ministers told him they meant to begin the attack [on the Spanish colonies] at the mouth of the Mississippi, and to sweep along the bay of Mexico, southwardly, and that they would have no objections to our incorporating into our government the two Floridas." Dumouriez wrote to Lebrun (November 30, 1792) that "once masters of Holland we shall be strong enough to crush England, particularly by interesting the United States in sustaining our colonies, and in executing a superb project of General Miranda."[3]

A vast and startling project, indeed! sweeping into a single system the campaigns of France in Europe, the discontented frontiersmen of the Mississippi valley, and the revolutionary unrest that was before long to give independence to Spanish America. The historical possibilities of the great design are overwhelming.

Around Brissot and his party leaders in the fall of 1792 and the spring of 1793, there were also gathered a group of well known Americans. Among them was the famous Thomas Paine, keen of scent for revolutionary breezes, whose relations with his old-time friend in the American War for Independence, Dr. O'Fallon, we have already mentioned, and here, too, was Joel Barlow, the poet, whose *Vision of Columbus* lives, at least in the history of American literature, and the promoter, whose notorious Scioto Land Company

[1] Sorel, *L'Europe et la Révolution Française*, III. 157; *Atlantic Monthly*, May, 1860, p. 589.

[2] The Minister of Public Contributions reports to the Provisory Executive Council, January 4, 1793: "I have given information to the citizen Genet of the offers made by Col. Smith, of New York, to procure the republic not only the reimbursement of what remains due from the United States, although not yet payable, but also the application of it, either to supplies for the army, or wheat flour and salted provisions in augmentation of our internal supplies." This proposal was approved by the council, in a letter to Colonel Smith, November 7, 1792; and the minister notes that by the time of his report (considered on January 4, 1793) Smith had gone to England. *American State Papers, Foreign Relations*, I. 144. Jefferson's minute of the interview with Col. Smith was dated February 20, 1793 (Jefferson, *Writings*, I. 216). Col. W. S. Smith was the son-in-law of John Adams. He had been aide-de-camp to Washington, and secretary of legation under Adams in London, where he was on intimate terms with Miranda. His connection with the Miranda project of 1798, when Great Britain took somewhat the rôle towards Spanish America that France now essayed, is well known. See John Adams, *Works*, I. 679; VIII., X., *passim*; *Edinburgh Review*, XIII. 277 ff. Col. Smith may have given Jefferson an understanding of the inception of the plan.

[3] Sorel, III. 175.

lives in the history of American settlement. Brissot aided him in this land scheme, which lured unfortunate French emigrants to Gallipolis, and, later, Barlow was the translator of Brissot's *Travels*.[1] Both Paine [2] and Barlow were enjoying their recent honors as naturalized citizens of France. Gilbert Imlay was another of the group, —that soldier of the American Revolution, and of fortune, who had brought his Kentucky observations into the *Topographical Description of the Western Territories of America* (London, 1792). He was living with Mary Wollstonecraft, afterwards the mother of Shelley's wife (Mary Godwin), and his perfidy is embalmed in her *Letters to Imlay*. In Paine's home, an old mansion of Madame de Pompadour, we find, a little later, gatherings in which the Brissots, Bonneville, Barlow, Imlay, Mary Wollstonecraft and the Rolands met. Less influential, perhaps, but active also, in promoting the interest of the government in American affairs was Stephen Sayre, a native of Long Island, New York, who after graduating at Princeton had become a banker in London, and later, sheriff. His enthusiasm for the War of Independence ruined his fortunes in London and he attached himself for a time to Franklin and to Arthur Lee. At this time we find him, with Beaupoils, a French officer who had served in Poland, engaged in promoting the plan of an expedition against Louisiana. Lyonnet, a Frenchman who had lived in New Orleans, and who had influence with the Gironde leaders, contributed valuable information concerning the discontented settlers in the old capital of Louisiana. Such were the influences at work in Paris at the period when George Rogers Clark, at the Falls of the Ohio, was brooding over the wrongs imposed on him by the Virginia legislature[3] and considering plans for expatriation and the reduction of Louisiana.

It was in the summer of 1792 that there returned to Paris, fresh from his Russian mission, that ruddy, bustling brother of Madame Campan, the friend and companion of Marie Antoinette. Genet had been destined for Holland, but, as we have seen, he was determined upon in November for the United States, when Lebrun and Dumouriez were embracing all Spanish America in their designs. Genet himself seems afterwards to have desired it to be understood that the friendly relations which his family bore to the Queen had led to his selection as agent to carry out the plan of some of the Girondists for deporting Louis to the United States and thus avoid-

[1] See Barlow's proposal in 1793 to take the contract for the conquest of Louisiana himself, on a business basis, *American Historical Review*, III. 508.

[2] Conway, *Life of Paine*, II. 64.

[3] Clark learned of the failure of his claims in the Virginia courts and legislature in November, 1792. 53 Clark MSS., 81.

ing execution by exile. Mr. Moncure D. Conway quotes from Genet's papers in his possession this interesting statement: "Roux Facillac, who had been very intimate in my father's family at Versailles, met me one morning and wished me to spend the evening at Lebrun's, where I had been invited. He accompanied me there and we met Brissot, Guadet, Leonnet [Lyonnet?], Ducos, Fauchet, Thomas Paine and most of the Gironde leaders . . . Tom Paine, who did not pretend to understand French, took no part in the conversation, and sat quietly sipping his claret. 'Ask Paine, Genet,' said Brissot, 'what effect the execution of Capet would have in America?' Paine replied to my inquiry by simply saying, 'bad, very bad.' The next day Paine presented to the convention his celebrated letter demanding in the name of Liberty and the people of the United States that Louis should be sent to the United States. . . . 'Genet,' continued Lebrun, 'how would you like to go to the United States and take Capet and his family with you?'"[1]

This anecdote is interesting as showing the kind of gatherings in progress at this time, though it bears internal evidence of apparent inaccuracy, at least, since Paine's speech was made on the fifteenth of January, 1793, and Genet's instructions had been first made out in December, although they were supplemented by additional instructions on January 17.[2]

Genet's instructions[3] recite that at the moment when he is sent to the United States, a rupture with England and Spain is imminent. He is, therefore, to endeavor to secure a treaty establishing a close concert for the extension of the empire of liberty, guaranteeing the sovereignty of the peoples, and punishing the powers which have an exclusive commercial and colonial system by declaring that the vessels of these powers shall not be received in the ports of the contracting nations. This compact, it was urged, would conduce rapidly to the freeing of Spanish America, to the opening of the navigation of the Mississippi to the inhabitants of Kentucky, "to the deliverance of our ancient brothers of Louisiana from the tyrannic yoke of Spain, and perhaps to the uniting to the American constellation of the fair star of Canada." In case, however, the course of the United States is wavering and timid, and if they do not determine to make common cause with France, Genet is to take all measures which his position permits, to propagate the principles of

[1] Conway, *Writings of Thomas Paine*, IV., p. xii.

[2] On the sixteenth of January, Clavière wrote two letters to Jefferson regarding Genet's mission. Jefferson Correspondence, Department of State, Series 2, Vol. 16, No. 88; *Bulletin of Bureau of Rolls*, No. 8, p. 119.

[3] *Report of American Historical Association*, 1896, pp. 957, 960; Aulard, *Recueil des Actes du Comité de Salut Public*, I. 361, 393 n., 478.

the French Revolution in Louisiana and in the other provinces of America adjoining the United States. The Kentuckians, who had long burned with the desire for the navigation of the Mississippi, it was noted, would probably second Genet's efforts without compromising Congress. Genet was accordingly authorized to keep agents in Kentucky, and to send them to Louisiana. He was also to make the expenditures which he judged necessary for the execution of this project. Blank brevets of officers up to the rank of captain, for bestowal on Indian chiefs, were entrusted to him.

Delays in getting to sea kept him at the harbor of Rochefort[1] until about the last week of February, 1793.[2] Between the date of Lebrun's letter to Dumouriez (November 6, 1792) on the day of the victory of Jemmapes (announcing the purpose to attack the Spanish colonies), and the time of Genet's departure, important events had occurred. The declaration by the French people of their readiness to wage war for all peoples upon their kings[3] had been followed by the execution of Louis.[4] Four days later the Executive Council assigned to Brissot a report on the possibility of an expedition against the Spanish dependencies.[5] On the thirtieth of January, the council had ordered that Genet's departure be hastened.[6] War was declared against England on the first of February, and the declaration of war against Spain[7] was inevitable. The new minister to the United States left France, fired with the enthusiasm and the great designs of the days of Dumouriez.

It was forty-eight days before Genet, driven out of his course by adverse winds, reached Charleston.[8] In the meantime the foreign office was receiving plans from the Americans in Paris for effecting the reduction of Louisiana by the aid of the Kentucky riflemen. Several of these plans were in the hands of the government before the date of Genet's departure. His instructions and later actions in America are therefore to be read in the light of this fact.

One of the earliest as well as one of the most interesting of the communications is an anonymous draft, endorsed 1792.[9] The writer says that he had hoped, in vain, to interest the old French government in the recovery of Louisiana, and he refers to a memoir con-

[1] Near La Rochelle.

[2] Genet to Lebrun, April 16, 1793, Archives, États-Unis, Vol. 27, folio 217, and appendix to DeWitt, *Thomas Jefferson* (Paris, 1861); Hamilton, *Republic*, V. 247.

[3] November 19, 1792.

[4] January 21, 1793.

[5] Aulard, *Recueil*, II. 10; III. 82.

[6] *Ibid.*, II. 27.

[7] Made March 9, 1793.

[8] April 8, 1793.

[9] *Report of American Historical Association*, 1896, p. 945.

taining his views, the result of researches during five years. Putting aside as chimerical the Miranda idea of revolutionizing the more southern regions of Spanish America, he urges the Louisiana project as easy to carry out, owing to the weakness of the garrisons (not over 1500 men, he believed) and the temper of the French inhabitants. He also points out the value of the conquest as a diversion which would alarm Spain into devoting troops to the defense of her other American frontiers, and as a means of checking Spanish privateers. The measures for inaugurating this movement were, in the opinion of the writer, secretly to send three or four French military men, including Lyonnet, to Philadelphia; to send an emissary by way of Philadelphia to New Orleans; to give to Genet the powers concerning the employment of these commissioners and charge him with the responsibility of the expedition; and to send revolutionary agents to Kentucky, to the colonies of Marietta and Scioto and Cumberland, promising the free navigation of the Mississippi. He would give to the expedition the guise of a filibustering raid in order to avoid compromising the government of Kentucky, and he advised that General Wilkinson (!) be made the commander-in-chief. The emissaries were to assemble five hundred men at different points on the Ohio, brought together by hope of booty and of confiscated Spanish lands. To cover these proceedings they were to take the appearance of an expedition against the Indians. The commander-in-chief should be empowered to make a treaty of alliance between France and Louisiana. The total expense he reckoned at 400,000 livres. Taking up the important question of the relation of this expedition to the United States, the author puts the questions, whether the leaders of the Republic should be acquainted with the plans; whether Louisiana ought to be united to France or to the United States; and how to avoid compromising the neutrality of the United States. Ten years before, he says, America would have welcomed the independence of Louisiana as infinitely desirable, for then they had the enthusiasm of liberty; but the enjoyment of it has made them calmer, and they no longer regard liberty like lovers, but like married persons; reflection guides them, but it cools them. He then develops the argument that nature has destined a separation of the West, and that Congress is reluctant to secure the navigation of the Mississippi from Spain, lest this separation be facilitated. While, therefore, Genet ought adroitly to sound the disposition of the leaders of the government regarding the union of Louisiana with the United States, the envoy should speak of this merely as desirable, and should dispose them to receive with satisfaction the news of French success. By attrib-

uting the expedition to the disquietude of French settlers on the Scioto, Genet would enable the government to disavow the expedition and save the neutrality of the United States. The orders of Congress to courts of justice to act against the leaders of the invasion, on the remote frontiers, were not to be feared. He reaches the conclusion that the expedition should ignore the United States, and that the co-operating force should be found in Kentucky and along the Ohio ; and he names among those whose aid is desirable, Wilkinson, Tardiveau (the brother of the late commandant of Kaskaskia) and Brackenridge. He leaves the future relations of Louisiana to be settled by the situation of France after the peace, but he expresses his opposition to uniting it to the United States.

In the same year Captain Imlay contributed observations, in which he enforced the commercial and strategic importance of Louisiana to France and her West Indian islands.[1] The expedition could, in his opinion, be carried out by France for 750,000 livres, but Imlay adds that if this is too considerable an expenditure, Genet should be left to his discretion to find men in the West to undertake the expedition at their own cost and risk. This he declares to be entirely possible if they are assured that France will furnish assistance.[2]

From these plans and instructions prior to Genet's departure, it is evident that whatever Genet's impetuosity and maladroitness may have done to damage the French project, he cannot be charged with having undertaken an unauthorized expedition. The essential features of the plan he attempted to carry out were those of the government and its advisers. His mistakes were of method rather than of object.[3] Nevertheless, Genet was not without warnings from the Minister of Foreign Affairs.[4] Lebrun distinctly cautioned him that the cold character of Americans only warms by degrees, and that the negotiations with the government must be secret. He was advised to have entire confidence in the sentiments of the President and Jefferson, Butler and Madison. His instructions, furthermore, enjoined upon him to follow scrupulously the forms established for official communications between the government and the agents of foreign states, and to give no offense with regard to pro-

[1] *Report of American Historical Association*, 1896, p. 953 ; *American Historical Review*, III. 491.

[2] Imlay mentions a report on the expedition presented to the Executive Committee by Lebrun ; and the value of Imlay's advice regarding the expedition is vouched for by Brissot. *American Historical Review*, III. 503.

[3] Lebrun to Genet, March 10, 1793; DeWitt, *Jefferson*, 517. Lebrun was opposed to the United States securing the freedom of the Mississippi by negotiation.

[4] Lebrun to Genet, February 24, 1793; Archives, États-Unis, Vol. 37, fo. 132.

visions of the Constitution of the United States. But he was advised to exert an influence on public sentiment, and he was informed that the indirect ways were more useful than the official approaches. The difficulty with these requirements lay, not merely in Genet's impetuous character, and the party conflicts in America; it lay also in the fact that, as the event proved, Washington pursued a genuine and vigorous policy of neutrality, and thus Genet had to choose between abandonment of his project and a conflict with the authorities. The President neither consented to aid France, nor to engage in an intrigue which provided for avowing neutrality, while permitting the frontier to follow the flag of France. The people, moreover, in the last resort, were loyal to Washington.

The plans submitted to the French authorities increased in number and detail in the early days of March, when that nation declared war against Spain. Among others, the former resident of New Orleans, Lyonnet, presented elaborate expositions of the advantages of Louisiana and the condition of the Spanish posts along the Mississippi. He believed that Louisiana should be joined to the United States. Six persons, he thought, should be sent to Philadelphia to proceed to Kentucky on the pretext of buying lands, but really to arrange matters in the West. He recommended Tardiveau as able to suggest useful men in Kentucky, and he wrote: "At the head of these filibusters of the woods, must be placed General [Clark], who in the late war took Vincennes, among other posts. His name alone is worth hosts, and there is no American who has not confidence in him." Among the expenses he notes that much must be spent for drink, "for the Americans only talk of war when vis-à-vis with a bowl."[1]

On the fourth of March, Sayre and Beaupoils, already mentioned, together with Pereyrat, offered to Lebrun a plan,[2] the substance of which they had communicated to Dumouriez, probably in the early summer of 1792, while he was still minister of foreign affairs. Referring, doubtless, to the Miranda project, they declare that, in the present juncture, a fleet and a formidable army cannot properly be devoted to the expedition, but they present a plan which would also have the ultimate aim of seizing Mexico and creating a revolt in South America.[3] The uprising in Louisiana, which their project was designed to effect, would afford a beginning for such further designs, in harmony with the larger proposals, as might be

[1] Archives, Louisiane et Florides, 1792 à 1803, Vol. 7, docts. 4 and 5; Espagne, Vol. 635, docts. 316, 317; Vol. 636, folios 37, 101, 205; *American Historical Review*, III. 496-505.

[2] *Report of American Historical Association*, 1896, p. 954.

[3] Compare *id.*, p. 945, and *American Historical Review*, III. 496.

deemed expedient by the government; and it would in itself compel Spain to send vessels and troops to America to intercept a general revolt of the Spanish provinces. In Kentucky, they declared, were a large part of Washington's officers and soldiers, and the desire for the freedom of the Mississippi, and the hope of glory and profit from such an expedition against Spain, would attract them. A few boats, batteries and munitions, together with supplies for two months for 3000 men, were needed. The boats could be built at the Falls of the Ohio. The French of Louisiana would embrace the opportunity to revolt; but if the taking of New Orleans was not deemed important, the tributaries of the Mississippi would open a way to Mexico, and the Panuco Indians, lately ill-treated by Spain, could be counted on to aid. An important consideration, in the opinion of the memorialists, was that such an expedition, made without the consent of the United States, would lead inevitably to an attitude on the part of England and Spain which would force the United States to take part with France, particularly since the Americans knew that the English were the authors of the Indian war then in progress in the United States. An expenditure of 280,000 livres, exclusive of artillery and ammunition, would suffice for the expedition, and the agent of the Republic could draw upon the treasury of the United States to meet these expenses; the modesty of this sum would conceal the secret.

While these plans were offered to Lebrun, a project for the formation of a committee to arrange for the expedition was also considered. For membership in this the proposition suggested: Joel Barlow, "a true friend of liberty, a philosopher, and pure in his morals," who might have, under Genet, the general direction of the matter, as well as the management of the funds; Sayre, who (owing, perhaps, to his London sojourn), should be well watched; and Beaupoils and Lyonnet. These four were to be sent to Philadelphia to begin the formation of the committee, having first concerted their plans with Otto. This project also provided that a part of the money due from the United States to France should be devoted to the enterprise. It was expected that these men would prepare the revolt of the Spanish colonies, which Miranda would complete, and they were to act in concert with a Mexican who had written to Clavière regarding the expedition.

Some contemporary comments[1] upon several of these plans (made apparently by one of the French authorities), declare that Mexico and the Spanish colonies should not be thought of again. And, in fact, in the United States as well as in France, the larger aspects of

[1] *Report of American Historical Association*, 1896, p. 945, n. 3.

the original design seem at least to have been left to await the outcome of the operations in Louisiana and the Floridas.

But in France domestic and foreign troubles followed fast in the weeks that succeeded the declaration of war against Spain. The loss of Belgium, the defection of Dumouriez, the revolt in LaVendée, the formation of the Committee of Public Safety, and the struggle between the Girondins and the Mountain, culminated in the downfall of the Girondins on the second of June, 1793. Genet had, therefore, hardly reached Philadelphia and begun active operations, when his party friends were in prison or in flight. That awful summer, with civil war, military reverses, a dozen countries in arms against France, and the reign of terror in her midst, was no time for attention to remote or widely extended plans of conquest in another hemisphere, even if the Jacobins had desired to sustain Genet. The interest in the expedition turns, therefore, to the United States.

At Charleston, Genet at once communicated the plan that had been drawn up to Governor Moultrie, the well-known Revolutionary leader. Genet and the consul, Mangourit, both report that a complete confidence existed between them and "this venerable veteran, the sincere friend of our Revolution." Genet informed Lebrun in his first dispatch[1] that Moultrie had rendered all the good offices in his power, permitting him to arm privateers, and furnishing him useful information on various parts of his instructions. Moultrie favored combined action by the United States, and was impressed by the advantage that the freedom of Louisiana would afford in checking the Indian attacks instigated by Spain,[2] and in opening the Mississippi. Mangourit impressed upon him the idea that all that France would gain from the expedition would be the weakening of the enemy, while the substantial advantages would be with the United States.[3] A few days later the consul visited Savannah to talk with General Mackintosh and others afterward engaged in the expedition against Florida. So far from concealing the purpose of this visit from Moultrie, he induced that obliging official to grant him letters of introduction. Throughout his correspondence, Mangourit shows a steady confidence in Moultrie's good will, even after the latter became dissatisfied with Genet, and officially proclaimed the policy of neutrality for South Carolina.[4] Moultrie's private secretary, Freneau, was said to be a brother of Jefferson's translating clerk, the editor of the *National Gazette*.

[1] April 16, 1793, Archives, États-Unis, Vol. 37, fo. 217; De Witt, *Thomas Jefferson*, Appendix.

[2] *Report of American Historical Association*, 1896, p. 987.

[3] Archives, États-Unis, Supp. Vol. 5, doct. 9 (1790–1813), Mangourit to Genet, April 24, 1793.

[4] *American State Papers, Indian Affairs*, I. 310.

Thus Genet's brief visit to Charleston had sufficed to set in action the Florida side of the intrigue, which he left in the hands of the energetic Mangourit. While the minister was travelling by land to Philadelphia, amid the jubilations of the democratic admirers of France, Washington and his cabinet were considering the attitude of the United States toward neutrality and our treaty with France. As early as the twentieth of February, 1793, as we have seen,[1] Jefferson had received from Col. Smith intimations of the French project and of Genet's mission. On the seventeenth of January, Clavière had written to him of the minister's coming, and on the twenty-third of March, Jefferson, with Washington's approval, had drafted instructions[2] for Carmichael and Short, our commissioners to Spain. These instructions mention the desire of France to offer independence to the Spanish-American colonies, beginning with those on the Mississippi, and that she would not object to our receiving those of the east side into our confederacy. The proper course, Jefferson observed, was to keep ourselves free to act according to circumstances and not to guarantee the Spanish colonies. The idea of providing for a guaranty of Louisiana on condition of the cession of the Floridas was abandoned, because when it was originally thought of we apprehended it would be seized by Great Britain, who would thus completely encircle us with her colonies and fleets. "This danger," he adds, "is now removed by the concert between Great Britain and Spain; and the times will soon enough give independence, and consequently free commerce to our neighbors, without our risking the involving of ourselves in a war for them."

The proclamation issued by Washington on the twenty-second of April required the pursuance of a conduct friendly and impartial toward the belligerent powers. Jefferson, while acquiescing as a matter of expediency, [3] nevertheless regarded the proclamation as pusillanimous.[4] Large masses of the people of Philadelphia were bitterly opposed to the President's policy, and rioting was imminent at the very seat of government. This was, then, the situation at the opening of Genet's mission. The Democratic-Republican forces of the country desired a liberal construction of our treaty obligations with France, and the most friendly relations, if not positive alliance, with her. The fomentation of Indian attacks upon our southwestern frontier by Spain, to say nothing of her stubborn attitude regarding

[1] Jefferson, *Writings*, I. 216; *Works*, ed. Washington, III. 534.
[2] Jefferson, *Writings*, VI. 206.
[3] Jefferson to Madison, June 23, 1793, *Works*, III. 591.
[4] Jefferson to Madison, May 19, 1793, *Works*, III. 562.

the Mississippi, had led the government to serious protests in the fall of 1792, and by the early summer of 1793 war seemed inevitable.[1] Washington asked of Knox,[2] in the middle of June, information regarding the Spanish strength in Florida to provide for the event of embroilment; and Jefferson wrote Monroe at the end of that month that war with Spain was absolutely inevitable.[3] As early as the autumn[4] of 1792 Jefferson had expressed his apprehension that Spain and England had a common understanding on the frontiers of the United States; and the declaration of war by England and Spain against France, together with the complaints of English intrigues among the Indians by our settlers on the Northwest did not tend to lessen the apprehension. In short, Genet's opportunity was an ideal one.

But almost from the first he alienated the President and even rendered the support of his friends difficult. He found Washington cold and impassive. He asked in vain that the United States should anticipate the payment of their debt to France (about $2,300,000) and he engaged, in conformity with his instructions, to accept certificates to be expended among the various states for supplies and munitions of war. These were to be devoted, in part, to the provisioning of the French islands; but it needs no penetration to perceive that the plan was admirably suited to cover all kinds of expenditures from this fund among the frontiersmen for the purposes of the expedition. The federal government declined the proposition, and Genet soon practically abandoned his effort to win the administration, and turned to intrigues.

On his arrival he found awaiting him the letter of George Rogers Clark, written February 2, 1793, from the Falls of the Ohio.[5] In this letter the frontier leader recounted his services, his investigations into Spanish defences in the Mississippi valley, his possession of friends in those places, and his relations to the Indians. He declared that with four hundred men he could expel the Spaniards from upper Louisiana, and with eight hundred execute the same operation upon New Orleans. He asked naval assistance of two or three frigates and three thousand pounds sterling for the expedition.[6] Genet also received, a few days after his arrival at Philadel-

[1] Jefferson to Carmichael and Short, October 14, 1792, *Works*, III. 74.

[2] Washington to Jefferson, June 14, 1793, Washington's *Writings* XII. 297.

[3] Jefferson, *Works*, IV. 6.

[4] Jefferson to Washington, September 9, 1792, *Works*, III. 459.

[5] *Report of American Historical Association*, 1896, pp. 967, 971.

[6] Another draft, in the Clark MSS. (*ibid.*, p. 967) dated February 5 or 3 (for the date shows emendation), proposed to raise fifteen hundred men out of Kentucky, Cumberland, the Holston settlements and the Illinois. As many more French of the Spanish settlements would flock to his standard. With the first he could take Louisiana, begin-

phia, two memoirs from André Michaux,[1] the French botanist, to whom Jefferson had in January of that year given instructions in behalf of the American Philosophical Society for the transcontinental exploration which he proposed.[2] But while Genet was holding his first conference with Jefferson, Michaux was engaged in drawing up his observations on the French colonies in America for a different kind of exploration.

The month of June was a busy one for the French minister. Finding Michaux's exploring tour a convenient cover for his own designs, he selected him as his agent to go to Kentucky, and he conferred with John Brown, the Kentucky congressman,[3] who gave Michaux letters of introduction to Governor Shelby of Kentucky, and to George Rogers Clark. Genet wrote to Lebrun on the nineteenth of this month[4] that in spite of "old Washington," who "had hindered his progress in a thousand ways," he had won popular enthusiasm, and was secretly pressing for the calling of Congress, where he expected a majority. In the meantime, he is provisioning the Antilles, exciting the Canadians,[5] arming the Kentuckians and preparing an expedition by sea to second their descent upon New Orleans. The week before this letter, he had received a memorial from DePauw, a Kentucky merchant,[6] familiar by his trading voyages down the Mississippi with the forts held by Spain on the route, and who had just come from New Orleans. DePauw related in a paper written about 1808 that on the twentieth of April, 1793, he had taken part in a French dinner party in New Orleans, at which plans for a descent on New Orleans from Kentucky were concocted.[7]

ning with St. Louis, and with further aid he could take Pensacola and, if Santa Fé and the rest of New Mexico were desired, he knew their avenues; and all of Spanish America with its mines would follow. He planned to expatriate himself: "My country has proved notoriously ungrateful for my services and so forgetful of those successful and almost unexampled enterprizes which gave it the whole of its territory on this side of the great mountains, as in this, my very prime of life, to have neglected me." Compare also the unsigned memoir in *Report of the American Historical Association*, 1896, p. 972.

[1] *Proceedings of American Philosophical Society*, 1889, Michaux's Journal, with biographical introduction, and bibliographical references.

[2] Compare Jefferson to George Rogers Clark, December 4, 1783 (52 Clark MSS., 93, printed on p. 673, post,) proposing the exploration to him, and see Turner, *Indian Trade in Wisconsin*, in *Johns Hopkins University Studies*, IX., pp. 18 ff.

[3] *Report of American Historical Association*, 1896, pp. 982, 983.

[4] Archives, États-Unis, Vol. 37, fo. 431.

[5] On the French intrigues in Canada see *Report on Canadian Archives*, 1891, 1894, and Dorchester's proclamation of November 26, 1793, in *Philadelphia Gazette*, March 6, 1794.

[6] *Report of American Historical Association*, 1896, pp. 977, 1002 and 1102. Charles De Pauw is said (*Representative Men of Indiana*) to have come out with LaFayette. His grandson was the benefactor of DePauw University.

[7] He says that Colonel John "Blane" of Lincoln and John Speed of Bullet County, Kentucky, were present. *Report of American Historical Association*, 1896, p. 1103.

The correspondence of Governor Carondelet, of New Orleans, with his government[1] shows that French intrigues were then in progress in that city, and that he had reason to fear an insurrection. Indeed, in the July following, Carondelet reported the expulsion of sixty-eight French suspects from New Orleans, and he was inquiring into mysterious gatherings, outside the city.[2] He wrote: "It is whispered by some that in a few months the French will be here. For my part I can affirm that if (which may God forbid) the arms of Spain and of her allies were to suffer any drawback, or if some four frigates were to present themselves here with 1200 French troops there would arise a faction in this city in favor of the Convention which would cause great havoc and perhaps the loss of the province. My small garrison and the faithful vassals of the king are resolved to achieve impossibilities and to die arms in hand; but unless the 300 men lacking to this regiment are sent from Spain by the end of the year we shall lose even this honorable consolation, since for the protection of the most necessary posts and for avoiding a surprise, the men remaining are hardly sufficient, ... while those previously received are of such a bad character that the prisons are continually filled and but for the adoption of extreme penalties against the delinquents in these circumstances, two-thirds of the regiment would be in prison, and we should remain without any troops. To these important reasons must be added the fears inspired in us by the very disquieting movements of the Americans settled in the West, against whom I cannot oppose sufficient forces in case of any hostility from them."[3] He states further that owing to the withdrawal of the troops that had come from Havana, the New Orleans garrison scarcely amounted to 700 men, and 920 were employed in twenty-one detachments distributed over more than 600 leagues.

This apprehension of the governor of Louisiana and West Florida was amply confirmed by the statements of De Pauw and other informants in regard to the weakness of the Spanish posts and the ease of taking them.[4] Most of the plans against New Orleans proposed to leave St. Louis unassailed, to be taken after the lower river was secured. Below the confluence of the Ohio with the Mississippi

[1] *Id.*, 974.

[2] Draper Collection, 42 Clark MSS., 1.

[3] Carondelet to Alcudia, July 3, 1793. *Report of American Historical Association*, 1896, p. 996.

[4] See *American Historical Review*, III. 497; and *Report of American Historical Association*, 1896, p. 972. Carondelet's description of his posts and preparations for defence in 1793 and 1794 is in *American Historical Review*, II. 475. General Collot in the service of France visited these posts in 1796, and his description of them, with an excellent atlas, giving plans of each, is in his *Journey in North America*.

the first post was that of New Madrid, or L'Anse à la Graisse, where a captain and twenty to forty men with ten cannon were reported. The fort, it was thought, could easily be taken, or passed in the night. Chickasaw Bluff, or Écores à Margot, was as yet unoccupied by a fort, but the Spaniards suspected the Americans of the design of securing that point. Walnut Hills, or Nogales (now Vicksburg), the site of O'Fallon's projected Yazoo colony, was begun in 1790 to resist that project. It was believed to be commanded by neighboring hills, however, and since its garrison of about 100 men were chiefly Frenchmen, its numerous artillery was less to be feared. Below Walnut Hills, as Carondelet admitted, there was nothing to prevent the enemy from reaching the capital. The French settlers were ripe for revolt, and Natches, dominated on all sides, and with American settlers about it, would fall an easy prey. The forts of Manchac and Baton Rouge were in ruins. New Orleans was expected to revolt against the Spanish rule; and a French fleet blockading the mouth of the river would co-operate with the frontiersmen. Such in outline were the plans proposed for the Kentucky side of the expedition. Mangourit was himself engaged in preparing for a descent on St. Augustine from South Carolina and Georgia, with a fleet and 1500 frontiersmen, while another expedition of 2000 backwoodsmen from the southern up-country was to descend the Tennessee to unite its forces with George Rogers Clark.

After his interviews with Michaux, Brown and DePauw, the matter was sufficiently advanced for Genet to sound Jefferson; for if the Secretary of State and leader of the Democratic party could be actively enlisted in the design, its success seemed certain. From what has already been said, it is clear that as early as February, 1793, Jefferson understood that it was the intention of France to free Louisiana. He was opposed to the form at least of the proclamation of neutrality, and he expected war with Spain. On the fifth of July Genet unfolded to him, "not as Secretary of State, but as Mr. Jefferson," the outline of his Kentucky project,[1] as embodied in his instructions to Michaux. He also read his proposed address to the Canadians. Jefferson's minute of the conversation indicates that he understood that the expedition was to rendezvous out of the territories of the United States (he supposed in Louisiana), and that Louisiana was to be established as an independent state connected in commerce with France and the United States. "I told him," said Jefferson, "that his enticing officers and souldiers from Kentucky to go against Spain, was really putting a halter about their

[1] *Report of American Historical Association*, 1896, p. 948; Jefferson, *Writings*, I. 235.

necks, for that they would assuredly be hung if they commenced hostilities against a nation at peace with the United States. That leaving out that article I did not care what insurrections might be excited in Louisiana." Jefferson adds that he gave Michaux a letter of introduction to Governor Shelby of Kentucky, changing the original draft at the desire of Genet, so that it introduced him not only as a man of science, but also as having the good opinion of Genet, and commended him to the notice, councils and good offices of Shelby. "His character here persuades me," wrote the Secretary, "that they will be worthily bestowed on him, and that your further knowledge of him will justify the liberty I take of making him known to you." This letter, innocent enough in appearance, was, doubtless by design, left with the date of June 28, ante-dating the second conversation with Genet. It is further elucidated by the letter of this minister to his government, on the twenty-fifth of July. "Mr. Jefferson," he declares, "seemed to me to be quickly sensible of the utility of the project, but he told me that the United States had begun negotiations with Spain on the subject of the demand that the Americans be given an entrepôt below New Orleans and while this negotiation was not broken off, the delicacy of the United States did not permit them to take part in our operations; nevertheless he made me understand that he thought that a little spontaneous irruption in New Orleans could advance the matter, and he put me into connection with several deputies of Kentucky and notably with Mr. Brown."[1]

Jefferson's attitude toward the French design is interesting, since his own presidency was rendered illustrious by the acquisition of Louisiana for the United States. "There is on the globe one single spot," he wrote in 1802, "the possessor of which is our natural and habitual enemy. It is New Orleans. The day that France takes posession of New Orleans fixes the sentence which is to restrain her within her low water mark. . . . From that day we must marry ourselves to the British fleet and nation."[2]

But Jefferson's position in 1793 is less easy to explain, partly because it is doubtful how far he understood the ulterior designs of France to hold Louisiana and detach the West; partly because the policy of aggressive territorial acquisition by that power was the work of the succeeding years, and Jefferson's own nationalism was to a considerable degree the work of his presidency; and partly also, because his views of Genet's personality changed rapidly.

[1] Genet then recounts the assistance given him by the latter in advice and influence. *Report of American Historical Association*, 1896, p. 982, n. 2.

[2] Jefferson to Living-ton, April 18, 1802.

Genet himself wrote in the succeeding autumn[1] that, in the beginning, Jefferson seemed disposed to second his views, and gave him useful ideas of the men in position; nevertheless, he says that he noted in his official declarations a sort of reserve which convinced him that Jefferson was aiming to keep in place whatever happened, and he finally found himself deserted by him. Jefferson on the other hand came to know that Genet's desire was to force the Americans into war on the side of France, contrary to his professions, and that he did not promise everything and ask nothing, as he had at first supposed. The truth seems to be that, in the beginning, Jefferson believed that motives of policy coincided with his friendliness for France, and that in the probable event of war against Spain the freedom of Louisiana by French assistance was not to be rejected. He was not yet dispossessed of his illusions with respect to French disinterestedness. By a protest against the use of Kentucky to violate our neutrality, he saved his official conscience, at least; but he did not break with Genet. He wrote the letter of introduction for Michaux,[2] and he was left in a position to "watch events." Genet's actions, however, soon compelled Jefferson to abandon him. Even before this interview, Jefferson wrote Monroe that he did not augur well of the mode of conduct of the new French minister, and he was aiming to disabuse him of the idea that he had an appeal from President and Congress to the people. The affair of the *Little Democrat* immediately after the interview led Jefferson to declare: "his conduct is indefensible by the most furious Jacobin. I only wish our countrymen may distinguish between him and his nation."[3] And indeed the Jacobinical forces themselves, which had come into power in France in June, did not desire to defend him. Soon Deforgues' letter[4] was on its way, in which the new Minister of Foreign Relations, foreseeing the tendency of his course, pointed out in severe terms that he was instructed "to treat with the *government* and not with *a portion of the people*," and not to exercise *pro-consular* powers in *a friendly* nation. Referring to the criticisms on Washington in Genet's dispatches, he says: "Deceived by a false popularity you have alienated from yourself the only man who could be for us the

[1] Genet to Minister, October 7, 1793, Archives, États-Unis, Vol. 38, fo. 402.

[2] Later he seemed desirous to conceal the significance of this letter. See *Report of American Historical Association*, 1896, p. 933.

[3] Jefferson, *Works*, IV. 19. Genet wrote on the twelfth of August that he would publish his correspondence with Jefferson, "a man endowed with good qualities but weak enough to sign what he does not think and defend officially measures which he condemns in conversation and anonymous writings." Archives, États-Unis, Vol. 38, fo. 182; De Witt, *Jefferson*, 530.

[4] July 30, 1793, Archives, États-Unis, Vol. 38, fo. 107; De Witt, *Jefferson*, 525.

organ of the American people." He sneers at Genet's professions of having already armed the Kentuckians and Canadians and awaits the developments of these measures, but observes that an expedition by sea prepared at Philadelphia against New Orleans would openly violate American neutrality and render Genet odious to the government; and finally he charges him to gain the confidence of the President and Congress. Genet, in the thick of party contests, took little heed of the warning, and rushed boldly on to meet his fate by the appeal to the people against Washington.

It is not the purpose of the present paper to relate the progress of the preparations for the expedition that followed.[1] The downfall of the Girondins led naturally to the disavowal and recall of Genet. Soon after arriving, Fauchet, his successor, issued a proclamation (March 6, 1794) terminating the expedition. It came when Clark and his friends were actively preparing for the descent of the Mississippi, and when troops were already gathered at the St. Mary's and along the frontier of Georgia for an attack on St. Augustine. Had the proclamation been delayed, the attempt would certainly have been begun. What the result of such an attempt would have been, with the Spaniards fully informed, the military forces of the United States under orders to oppose it, and the leading friends of Genet already alienated, need not be considered here.

The very extensiveness of the original project, the succession of unforeseen changes in the government and the military situation of France, but above all the character of Genet and of Washington worked to render it abortive. Enough has been said to reveal the fact that this attempt was an important chapter in the history of the Mississippi Valley in its relations to the future of the United States, of France and of Spain. It is, in fact, a chapter in the long struggle of the people of that Valley to hold the approaches to their great river—a struggle that is not yet ended.

FREDERICK J. TURNER.

[1] See *American Historical Review*, III. 490; *Report of American Historical Association*, 1896, p. 930, and the documents to be published in the same *Report* for 1897, on the expedition in the Carolinas and Georgia.

DOCUMENTS

1. Jefferson to George Rogers Clark, 1783.

THE following letter of Thomas Jefferson to George Rogers Clark of Kentucky, the well-known conqueror of the Illinois country in the Revolution, is from the Draper Collection of the State Historical Society of Wisconsin, 52 Clark MSS., 93. I am indebted to Secretary Reuben G. Thwaites for permission to use it. The significance of the letter becomes increased when it is recalled that William, the brother of George Rogers Clark, was the famous companion of Lewis in the Lewis and Clark expedition of 1804–1806.

The publication in 1783 of Ledyard's account of Captain Cook's voyage, which aroused interest in Pacific trade, and the organization of the British Northwest Company in that year, may have influenced Jefferson in addressing George Rogers Clark. At Paris, in 1786, Jefferson was interested in Ledyard's scheme for engaging a wealthy French mercantile company, the house of Le Coulteux, in the fur-trade of the Pacific coast, and he secured from this house a promise that they would consider the advantages of Alexandria, on the Potomac, for their depot of supply.[1] Jefferson's interest in canals connecting the Potomac and the Ohio was partly due to this project. After the failure of Ledyard's Parisian plans, Jefferson proposed to him to cross Russia to Kamchatka, take ship to Nootka Sound, and thence return to the United States by way of the Missouri.[2] But this failed through Russian opposition.

In 1792 Jefferson proposed to the American Philosophical Society to send an explorer by way of the Missouri to the Pacific. He selected Lewis as leader, with André Michaux (the botanist whose connections with George Rogers Clark and Genet are noted in the article on Genet in this number of the REVIEW), as his companion. Jefferson made out instructions for Michaux in January, 1793. But the plans of Genet prevented this project; and the fears of Jefferson lest England gain priority in this trans-continental ex-

[1] Jefferson, *Writings*, IV. 326 *et passim*.

[2] Jefferson, *Memoir of Meriwether Lewis*, in Coues, *History of the Lewis and Clark Expedition*, I. xviii.

pedition were partly verified when Alexander Mackenzie crossed through Canada in 1793 to the Pacific.[1] In the fall of 1794 Carondelet, governor of Louisiana, relates that he has offered a reward to a St. Louis company of explorers, if they should reach the Pacific and bring back news of the Russian settlements.[2]

The outcome of these various attempts of Jefferson in the Lewis and Clark expedition is well known. William Clark gave to George Rogers Clark an early account of his success.

FREDERICK J. TURNER.

Annapolis Dec. 4. 1783.

Dear Sir

I received here about a week ago your obliging letter of Oct. 12. 1783. with the shells and seeds for which I return you many thanks. you are also so kind as to keep alive the hope of getting for me as many of the different species of bones, teeth and tusks of the Mammoth as can now be found. this will be most acceptable, Pittsburg and Philadelphia or Winchester will be the surest channel of conveyance. I find they have subscribed a very large sum of money in England for exploring the country from the Missisipi to California. they pretend it is only to promote knolege. I am afraid they have thoughts of colonising into that quarter. some of us have been talking here in a feeble way of making the attempt to search that country. but I doubt whether we have enough of that kind of spirit to raise the money. how would you like to lead such a party? tho I am afraid our prospect is not worth asking the question. the definitive treaty of peace is at length arrived. it is not altered from the preliminaries. the cession of the territory West of Ohio to the United states has been at length accepted by Congress, with some small alterations of the conditions. we are in daily expectation of receiving it with the final approbation of Virginia. Congress have been lately agitated by questions where they should fix their residence. they first resolved on Trentown. the Southern states however contrived to get a vote that they would give half their time to Georgetown at the Falls of Patowmac. still we consider the matter as undecided between the Delaware and Patowmac. we urge the latter as the only point of union which can cement us to our Western friends when they shall be formed into separate states. I shall always be happy to hear from you and am with very particular esteem, Dr. Sir

Your friend and humble servt

TH. JEFFERSON

[*Addressed :* Genl. George Rogers Clarke.]

[1] Mackenzie, *Voyages through America.*
[2] AMERICAN HISTORICAL REVIEW, II. 476.

2. Diary and Letters of Henry Ingersoll, Prisoner at Carthagena, 1806–1809.

Among the foreigners who came to the United States at or soon after the close of their struggle for independence was Francisco Miranda, born under Spanish rule in Caracas, South America. He conceived the idea of a similar independence for his own country and solicited aid for that purpose from the United States, from England, Austria, Russia, and France, but without avail, since none wished to become involved in a war with Spain. He took an active military part in the French Revolution but was compelled to flee to England and later returned to the United States. The close connection of France and Spain after the treaty of Basel (1795) brought the Federalist leaders to his aid in this country in view of the prospective war with France. Hamilton was desirous of commanding an expedition to Spanish South America in co-operation with England; but President Adams, however strong his feeling against France, looked coldly on such leadership and gave Miranda little encouragement save in polite words. The defeat of the Federalists in 1800 deprived Miranda of their aid. Finding the Jeffersonian party not predisposed to aid him, he resolved to head an expedition on his own responsibility. Securing financial aid from two citizens of New York, Col. W. S. Smith and Mr. Samuel G. Ogden, Miranda fitted out the small ship *Leander* in 1806, and embarked men under various pretences. Sailing to the West Indies, he engaged two small schooners, upon which he placed some of his men. As the expedition approached the South American coast near Caracas, the little fleet was engaged by two Spanish vessels, during which the *Leander* fled, leaving the two pilot schooners and some sixty men in the hands of the enemy. Among the prisoners was Henry Ingersoll, whose diary and letters are printed here for the first time. Miranda eventually landed and had some success; but during the course of his second and more famous expedition of 1810 he was captured, and died in chains in a Cadiz prison in 1816.

Henry Ingersoll was a native of Massachusetts and had been apprenticed to the printer's trade. For his skill in this craft, although a mere lad, he was engaged by Miranda, who carried with him a printing press for the various manifestos to be issued to his fellow-countrymen after he had landed. In a narrative written soon after his release from captivity, Ingersoll describes the artifices resorted to by Miranda's agents in enlisting men:

"A principal object with Miranda was how to obtain the proper persons to accompany him; it was no hard matter to procure sailors sufficient as the Ship Leander had long been a St. Domingo Trader, there-

fore her present appearance excited no suspicion; but it was not so easy to engage any to enlist as Soldiers. Great circumspection was necessary not only to prevent public alarm, but to allay any suspicion which might arise in the breasts of those who were engaged. In this transaction I cannot but admire the cunning and skill of Miranda or his agents, as well as reprobate the falshood and duplicity resorted to. Mr. John Fink was applied to by Col. Smith to engage about 30 young butchers out of the New York markets to enlist as Soldiers to go to New Orleans to serve as guards to the United States Mail. They were stout, smart athletic young men, totally ignorant of public affairs; without the least idea of any deception being used. Miranda's object no doubt was to attach these men to his person. A number of Mechanics were engaged by different men under various auspices. Miles L. Hall was authorized by Col. Smith to engage a certain number of printers for stipulated wages. Several young gentlemen engaged as officers.

"In this manner did Col. Smith engage nearly one hundred men besides those belonging to the ship, a great part of whom were intended as officers.

"In the mean time every precaution was taken by Lewis and others to convey on board the Leander her military stores, &c., to elude the vigilance of the public eye. After the principal part of the cargo was on board she unmoored from alongside the wharf and dropped down to Staten Island, where she was made ready to receive Miranda and his officers. The following are some of the iotas of which the cargo was composed. About 5000 pikes, 300 pairs of pistols, 50 rifles, 1500 muskets, about 2000 swords and cutlasses, 40 cannon, 2 brass pieces, 20 tons of cannon balls, half a ton of musket-balls, 150 quarter casks powder, 2 doz. saddles and bridles, 700 suits clothes consisting of jackets and trousers and a few military suits."

From the correspondence of Miranda with President Jefferson and Secretary Madison, some of the men embarked in the enterprise supposed that the government was at least cognizant of the plan.

"In the official language held by the president in his communication to Congress in year 1805 a Spanish war was tho't unavoidable; and if I am correct the Marquis de Yrujo was ordered to leave Washington during the winter of 1806. These events determined some to engage in this Expedition, under the idea that it was under the implied sanction of government. I do not say it was so, I know the insufficiency of the data which I go upon; but it was a natural conclusion." "I do not intend to accuse the administration of my country; but I wish to exculpate those who entered into this expedition from the charge of piracy; and too that they had forfeited all claim to protection from their own government and even lost the right of citizenship."

The prisoner frequently asserts that President Jefferson was privy to the expedition. In 1809, after his retirement from the presidency,

Jefferson wrote to Don Valentine de Foronda, at that time Spanish minister to the United States:

"Your predecessor, soured on a question of etiquette against the administration of this country, wished to impute wrong to them in all their actions, even where he did not believe it himself. In this spirit, he wished it to be believed that we were in unjustifiable co-operation in Miranda's expedition. I solemnly, and on my personal truth and honor, declare to you, that this was entirely without foundation, and that there was neither co-operation nor connivance on our part. He informed us he was about to attempt the liberation of his native country from bondage, and intimated a hope of our aid, or connivance at least. He was at once informed that although we had great cause of complaint against Spain, and even of war, yet whenever we should think proper to act as her enemy, it should be openly and above board, and that our hostility should never be exercised by such petty means. We had no suspicion that he expected to engage men here, but merely to purchase military stores. Against this there was no law, nor consequently any authority for us to interpose obstacles. On the other hand, we deemed it improper to betray his voluntary communication to the agents of Spain. Although his measures were many days in preparation at New York, we never had the least intimation or suspicion of his engaging men in his enterprise, until he was gone; and I presume the secrecy of his proceeding kept them equally unknown to the Marquis Yrujo at Philadelphia and the Spanish consul at New York, since neither of them gave us any information of the enlistment of men, until it was too late for any measures taken at Washington to prevent their departure. The officer in the Customs, who participated in this transaction with Miranda, we immediately removed, and should have had him and others further punished, had it not been for the protection given them by private citizens at New York, in opposition to the government, who by their impudent falsehoods and calumnies were able to overbear the minds of the jurors."[1]

A petition from the prisoners at Carthagena was presented[2] to the second session of the Tenth Congress, asserting that they had been "entrapped into the service of the said Miranda on the expedition by assurances made at the time of their engagements, that they were to be employed in the service of the United States and under the authority of the government." No opportunity of escape had been possible save at Jacmel and there they had been strictly guarded.

The committee to whom this petition was referred made a rather colorless report, presuming that the prisoners had told the truth and that the execution of the officers by the Spanish government

[1] *Works*, V. 474.

[2] *Annals of Congress*, Tenth Congress, 2d Session, pp. 488–491, 511, 896–898; petition of September 16, 1808; *American State Papers*, Foreign Relations, III. 256, 257.

further showed these survivors to be secondary offenders. The "dictates of humanity" also pleaded for their succor; but the recommendation that the President be requested to take immediate steps for their release was lost, 50 to 34, the Republican majority from the middle and southern states against the minority from Federalist New England and from New York.

In the first session of the next Congress, a new report[1] was made on the prisoners' petition. "They were, by various misrepresentations and deceptions, incautiously drawn into the service of General Miranda in an expedition, *hostile in its intention*, against some of the Spanish settlements in South America; that they were engaged under various pretences of serving their country and acting in conformity to its laws—some *ostensibly* were to go to New Orleans and act as guards to the United States mail, others were to follow their different mechanical professions in that country and the residue were engaged for a direct voyage to St. Domingo and back to New York."

An extended debate on the recommendation of the committee for relief at the hands of President Jefferson at once drifted into the question of the knowledge possessed by the government of the expedition before it sailed. Quotations were made from the evidence produced at the trial of Col. Smith and Mr. Ogden,[2] indicted in New York for promoting the expedition, to prove the connivance of the government. The Republicans opposed the report mainly on the ground that the prisoners had by their own action voluntarily expatriated themselves and removed all claim for assistance on the part of the United States. They further argued that such relief might lead to serious complications with Spain. Since Miranda had fled to England, the expedition was branded as a British scheme from the beginning, directed against her enemy, Spain. Among those who pleaded for the prisoners was Bacon, of Massachusetts, who refuted the insinuation that they were habitual criminals and outlaws by claiming acquaintance with one of them (Ingersoll) from his own town (Stockbridge), "of a reputable family."

Public sentiment in favor of the men had made headway since the first petition and it now required the casting vote of the speaker to defeat the report and destroy the hope of the government's aiding the captives.

Although the aid of the government was thus lost in high party feelings, the debate at one time having almost precipitated a duel, yet there were not wanting many schemes of relief at the hands of

[1] *Annals of Congress*, Eleventh Congress, 1st Session, pp. 161, 257, 269–315; *American State Papers*, Foreign Relations, III. 258, 259.

[2] *The Trials of William S. Smith and Samuel G. Ogden*, New York, 1807.

private persons and parties. The letter to Mr. Bacon, representative from Massachusetts, which was afterwards secured by Mr. Ingersoll, will illustrate one of many fruitless plans.

It is a fresh illustration of the weakness of the United States during this period that the liberation of Mr. Ingersoll was secured entirely through British intercession. Hon. Theodore Sedgwick, a resident of Stockbridge, Massachusetts, to whom one of the appeals of the prisoner had been sent, asked the influence of Erskine, the British Minister to the United States, in behalf of the boy. He in turn begged Hammond, former minister to this country, to present the case of Ingersoll, "a youth of little experience," to the Spanish Minister at St. James, Admiral Apodaca. The Admiral assured Hammond that he would "not fail to use his good Offices with his Government in behalf of the young Man in the first Dispatch he may have an opportunity of sending to Spain." Four months later Hammond received a triplicate of a letter "from the Supreme Government of Spain to the Government at Santa Fe [Bogotá], directing Mr. Ingersoll's immediate Release."[1]

The pardon recites that "some persons belonging to the royal family and some belonging to the ministry of His Britannic Majesty having strongly recommended a petition presented by the Minister at the court of London, soliciting the liberty of John Edward Moore, English subject, and Henry Ingersoll, citizen of the United States, two young men who by reason of their trust in others, want of experience, and youth were seduced and deceived by Miranda and have been taken in this kingdom and condemned to ten years of confinement in the Castle of Omoa in the kingdom of Guatemala, the Supreme Central and Governing Junta of the Kingdoms of Spain and the Indies, being well informed and considering the distinguished recommendations of the persons who concern themselves in behalf of these unfortunates, moreover considering their youth and want of experience, has caused them to be freed from all punishment," etc.

At proper places in the Diary, selections are inserted in brackets from an uncompleted sketch of his adventures by Mr. Ingersoll. His letters are also inserted in chronological order. Editorial corrections and additions are indicated by brackets and italics. For the opportunity to print these papers the REVIEW is indebted to Mrs. M. E. Bell, of Bay City, Michigan, granddaughter of Henry Ingersoll.

EDWIN ERLE SPARKS.[2]

[1] Letters of Erskine, October 30, 1808, and April 14, 1809, enclosing copies of Hammond's of February 9 and April 6, 1809, and of Apodaca's of January 7, 1809.

[2] The footnotes are partly by Professor Sparks, partly by the managing editor.

A few remarkable events that happen[d] on board the Ship Leander of sixteen guns Cap[t] Tho[s] Lewis, owned by Sam[l] G. Ogden of New York, bound from N. Y to the Island of St Domingo in the West Indias. they are as follows—[1]

1806 Sailed from New York, a number of passengers on board.
Feb. 2 Cargo unknown. [High were the expectations of many as to their future destinies.]
Feb. 10 Saw the Island of Barmuda
12 The Cleopatra Frigate, Cap[t] White, board[d] us, exchanged some Americans for some Englishmen we had on board, after detaining us a bout 36 hours suffered us to pass
14 Brought to a small Spanish schooner bound to the Island of Puerto Rico, let her pass. [Conjectures as to Miranda's object in bringing her too—his right questioned.]
18 Came to in the harbor of Jacquemel in the Island of St. Domingo, during our stay in Jacquemel the Cap[t] of the Leander chartered two schooners, the Bee Cap[t] Rob[t] Huddle, on board of which, Lewis sent 33 men all armed, with a nine pounder, under the command of Dan[l] D. Durning, and the schooner Bacchus Cap[t] James Gardiner unarmed. [Misfortunes—quarrel of Capt. Lewis and Miranda—Lewis' journey to Port-au Prince—the result— addition to our force &c.]

I. H. INGERSOLL TO HIS PARENTS.

Jacquemel, (Island of St. Domingo)
On board the Leander, March 22[nd] 1806

Dear Father and Mother,

Knowing that any information concerning me will be recived with pleasure I think it my duty to embrace every opportunity of writing you.—Sunday 2[nd] of February I sailed in the Ship Leander, on the secret expedition I mentioned in my last. In four days we passed to the leeward of Bermuda. Wednesday Feb[y] 12th in lat. 24.40. N. descried a sail off our lee-bow at 8 o'clock A.M.—at 12 bore down upon us: Expecting her to be a French privateer, we hove too, and made every preparation for action, every person on board took his station. we were determined not to be taken. I expected to have seen a warm engagement; at 2 P. M she came up with us, hoisted English colours she proved to be the Cleopatra of 44 guns; after detaining us 24 hours and impressing 20 seamen for whom she gave us in exchange 12 Americans she suffered us to proceed; the Seamen she took from us were all English subjects; from our suspicious appearance she had good reason for detaining us till she was satisfied we had not contraband articles

[1] For the events to the end of 1807 the reader may compare *A General Account of Miranda's Expedition*, New York, 1808, by John H. Sherman; for those to the end of April, 1806, *The History of Don Francisco de Miranda's Attempt to effect a Revolution in South America*, by James Biggs, London, 1809, pp. 1–82, both published anonymously.

aboard:—Sunday 16th bro't too a Spanish schooner, after exam[*in*]ing her papers let her pass; 18th becalmed in sight of Jacquemel. this day a Sailor fell over-board, and was with difficulty saved. Capt. Lewis went by land to Port-au Prince and engaged the Ship Emperor for the expedition. Wednesday 19th came to anchor in the harbor of Jacquemel. Thursday put up a printing press on board the Ship. Friday Saturday and Sunday printed 2,000 Proclamations in the Spanish language,[1] declaratory of our intentions, which as soon as we arrive at our destination will be distributed to all parts of the world. Thursday 6th of March my birthday I went ashore at Jacquemel for the first time since I left N. York. It will be expected I should give a description of Jacquemel, the manners, customs, &c. the short time I was ashore, and the little opportunity I had of improving it, together with my not being acquainted with their language, are obstacles not easily surmounted. As to the productions I imagine they are the same with the rest of the island, and other parts of the West Indies. there appears to be plenty of coffee, I saw Oranges, Cotton Tamarinds &c. in full bloom. I should judge there were about 500 houses the greater of them no more than miserable huts; the inhabitants are chiefly blacks I observed no business going on except a few taylors at work, and the women washing in the River. they live chiefly on yams and bananos; I had not an opportunity of going into the country to see their plantations: I think when a peace takes place between France and England, the French will finally subdue the blacks. they will take the Sea-port towns; the blacks will then retire to the mountains, but in time they must surrender. Jacquemel lies on the South side of the island opposite Port-au-Prince. You will naturally ask where I am going, and what I intend to do; It is not proper yet to entrust it in a letter but it will soon be made known to the world; indeed I am not fully in the secret; but I have that confidence in the faith and honor of those concerned if we should succeed I shall be able to return to America in a less degree of dependence than when I left it.

We had a very good passage from N. York to Jacquemel in 17 days: I was sick almost all the passage but at present I enjoy very good health: I think a warm climate will agree with me. the ship Sampson Capt T. Edwards sailed from the Hook the same day we did, bound to the E. Indies, we soon parted with her. Give my love to J. Sergeant, if he is still alive. I left two of my profiles framed with Mr. Stevens N. Y one of them I intended for Sally. My love to her, and all the rest of my brothers and sisters, no more at present,

adieu, your affectionate Son,

HENRY INGERSOLL.

Mr. Jonathan Ingersoll.

P. S. My compliments to J. Hunt. I shall write him the next opportunity. My respects to Doct. Jones and family.

[*Addressed:* "Mr. Jonathan Ingersoll, Stockbridge, County of Berkshire, Massachusetts, America."]

[1] Sherman, 35–39, gives the text of one.

1806

March 27 Left Jacquemel destination unknown [Bee ran foul the Leander and lost her flying jib-boom]

28 I with Twenty men more, all arm^{d} was sent on board the Bacchus.

April 8 Owing to bad Seamanship, or some intention of Cap^{t} Lewis we ran into the Bay of Venezuela on the Coast of Terra Firma

14 Came to Anchor in the Island of Aruba [*Oruba*], where we found two English armed Vessels a Brig and a Schooner Com^{d} by Cap^{t} Philips, while at aruba General Miranda had his troops amounting in all to about 200 men armed and accoutred in the best manner that circumstances would admit, charter^{d} the schooner Echo of 4 guns and 25 men Com^{d} by Cap^{t} Philips, every thing was put into the greatest order, Capt. Gardiner took the Com^{d} of the Infantry and John O'Sullivan 2nd Mate of the Leander took the Com^{d} of the Schooner Bacchus [While at Aruba Miranda's troops amounting in all to about 200 men paraded ashore armed and accoutred in the best manner they were able under the direction of Col. George W. Kirkland]

20 Saw the Island of Curacao, in the night of the Same Ins^{t} the schooner Echo Cap^{t} Philips ran away. [in attempting to beat to windward the schooner Echo left us.]

24 The schooner Bacchus Cap^{t} O Sullivan came to an anchor in the Island of Bonaire [*Buen Aire*], the same day Joined Convoy and proceeded to the Coast of Terra Firma

28 Fell in with two Armed Spanish vessels a Brig of 22 Guns and a Schooner of 18 Guns, after some maeunuevers and a few shots from boath sides, (in which Cap^{t} R. Huddle was Kill^{d} by a grape shot) the Ship Leander ran a way leaving us to the mercy of our enemies. we were taken prisoners tied and carried into Puerto Cavallo [*Porto Cabello*], on boarding the Schooner Bee one man named Joseph Paulding of the City of Philadelphia, was thrown overboard and was drown^{d}. the same night we were cram^{d} into a small dungeon shackeled two and two. [In sight of the main descryed 2 vessels to leeward. ran down towards them. they crowded sail and ran from us. events have proved they went into the harbor obtained a supply of men that night and came out immediately to watch our movements, for on the next morning the brig of 22 guns was within gun-shot. the schooner mounted 18 guns. after some manoevering an action commenced, but the redoubtable Miranda, and the Almighty Lewis,[1] fled leaving two pilot-boat schooners containing 60 men to sustain the action or give

[1] An allusion to Capt. Lewis's angry declaration, on an earlier occasion, that he "was the Almighty on board his own ship."

1806 themselves up to the mercy of their enemies.[1] . . . the enemy after securing their prises proceeded with them into Porto Cavallo. . . . On coming to anchor about 12 o'clock at night under the guns of the Castle of St. Philip, information by signal having been previously communicated to the forts and country adjacent of their success, they were ready to receive us. the military were all ordered out. curiosity, consternation, or some other object, had drawn together crowds of people to behold the wretched victims of Miranda's mad ambition.]

May 3 Cap[t] D. D. Durning owwing to the small Close and Filthy Dungeon he was in was [literally smothered to death].

12 Arrived the Lieutenant Governor and commissioners from Caracas to take our declarations. [which was to be the only form of trial we were to have for our lives.]

June 2 Our declarations cloased and sent on to Caracas for trial. [During the interim it is impossible to conceive the wretched state of mind the prisoners were in. their anxiety was indescribable. the state of suspense and uncertainty was worse than death itself.]

July 20 Our sentences arrived and the result was made known to us in the following manner the doors of our Cells were thrown open and we were instantly surrounded by soldiers with Charged Bayonets, in that position we were marched into a small yard that was in the Castle of St Philip, we were instantly ordered to kneel down and the Interpreter read as follo[*ws*:] that the 10 following were to be hanged and beheaded on the next day—

Tho[s] Dunahue	George Ferguson
James B Gardiner	John Ferris
Tho[s] Billop	Paul Theadore Jeorge
Miles L Hall	Gustavus Adolphus Burgood
Charles Johnson	Daniel Kemper

Nineteen sentanced for Eight years to the Castle of Boca Chica Fifteen sentanced for Ten years to the Castle of Omoa and Thirteen sentanced for Ten years to the Castle of Puerto Rico [About 8 o'clock in the morning the doors of our Cells were thrown open almost instantaneously without our having the least suspicion of such an event; which presented to our view an unusual number of soldiers, who the moment the door was opened cocked their pieces, charged bayonets with the muzzle of their muskets pointing directly into the prison not more than a few feet from the prison door, in the form of a semi-circle. it may naturally be sup-

[1] Biggs, pp. 77–80, gives an explanation of this affair, but Ingersoll in an unprinted portion of his narrative scouts it. See Sherman, pp. 48–53.

1806 posed this movement excited some surprise; the first impression every one received was that we were to be butchered on the spot; I expected every moment their muskets would be discharged upon us and what remained alive would then be bayoneted. . . . at that moment my Country, my friends, and everything I held dear rushed in upon my mind like a torrent and almost overwhelmed me; yet at this awful moment every man manifested a degree of firmness that astonished even our enemies and rendered a precaution of theirs unnecessary; in ordering some slaves to be ready with a sort of bench to carry those to the place of sentence who should be unable to proceed. The following persons were sentenced to be hung and beheaded and their heads placed on poles to be put up at different places within the province. . . . After the sentence was read we were remanded back into Prison in the same order except those unfortunate ten who were to be executed were taken to a separate prison]

21 The sentance was put into execution in the following manner we were taken out and tied half naked and in double Irons to one another marched to the Gallows, where we beheld our companions hanged and beheaded.

August 7 We were put on board the arm[d] Ship Prince of Peace in double Irons [to be transported to Carthagena about 300 miles from Porto Cavallo. This is a large City on the Spanish Main, the principal depot of prisoners of War. It was supposed we were more secure here than at Porto Cavallo. After undergoing the most rigid inspection of our irons, the greater part of them being newly rivetted the prisoners were all marched out of the Castle at about 4 o'clock P. M. and conveyed on board an armed merchant ship the Prince of Peace Lieut. Don Pedro with about fifty soldiers had the charge of the prisoners exclusive of the ship's crew. They were all placed between decks, and a Centinel stationed at each hatchway, which rendered all hopes of an attempt to rescue ourselves at Sea impracticable, however several schemes were projected but failed; it is supposed in consequence of their plans being overheard by some of the Crew, who it was afterwards understood could speak some English. The idea which has been suggested in some publication of their being betrayed thro' fear by one of their number is false.[1] On leaving Porto Cavallo, a small pilot-boat schooner accompanied the Ship, sailing to windward and a head to keep a look out for an English squadron which had appeared off the coast the day preceeding; she left the ship the 2nd day. Events have since confirmed a suspicion that a British squadron was but a few leagues to the leeward at one time. Great was the chance they would be met by an English frigate.]

[1] Probably a reference to Sherman, p. 81.

1806

August 15 Arrived safe in the City of Carthagena [The prisoners were landed from the ship in two row-boats. The distance from the ship to the shore was about 3 miles. Never did I experience a hotter day, the almost vertical sun was intolerable without hats or clothing sufficient to cover them; their faces and many parts of their bodies were blistered by the scorching rays of the sun. . . . On entering the gates of the city they were met by a motley croud whom curiosity had drawn together to witness the victims of credulity and folly. It was with difficulty the guard could keep the mob at sufficient distance to allow the prisoners to pass. at this time it required all the national pride and fortitude of the prisoners to bear up under the weight of their misfortunes added to the reproaches and insults of the populace. When they arrived at the head of the street where it was intersected by one crossing it which led to the governor's palace they were ordered to halt to give time for a procession to pass composed of the Governor, priests, Officers, and all the grandees of Carthagena that they might have a view of Miranda's followers. Such was the fate allotted to men who had left the peaceful abodes of innocence and ease for fame and greatness. After arriving at the prison they were separated and put in three different apartments, with the admission of but little light, without a free circulation of air, hot, filthy, without any thing to rest their emaciated and almost naked bodies but the moist bricks.]

Sep[t] 1 Those men sentanced for Boca Chica were put to work Chained two and two
a man of the name of Burnsides and sentanced to Boca Chica Died.

21 John Burk Died in prison

Oct 21 Eden Burlingham Died [In about a fortnight (they) were all removed to another part of the City. Those persons who were sentenced for eight years hard labor were separated from the rest and placed at work under a slave driver with a strong guard, chained two and two in chains from twelve to fifteen feet in length. . . . In consequence of the death of the above persons, particularly of Burke's dying suddenly in prison, orders were given to their keeper, on the first appearance of sickness among them to remove them immediately to the hospital. This was generally done. about this time Capt. Barker arrived at Carthagena on his way to the U. States, by whom was forwarded a petition to the American government.][1]

[1] Presumably that which is printed in Sherman, pp. 96–98, dated Dec. 30, 1806.

H. H. INGERSOLL TO HIS PARENTS.

Carthagena, Feb^{y} 17, 1807.

Dear Father and Mother,

In my last letter I gave you an account of my unfortunate situation which at present is not changed for the better. I am still a prisoner (or more properly a slave) and in irons at this place; why I am not sent to the place I was sentenced I cannot say, which is to the Castle of Omoa at Vera Cruz. My companions in misfortune who were sentenced to this place are separated from us and are at work here. For the particulars of our capture, trial and condemnation I refer you to my last; provided you have not received that I refer you to the Memorial addressed to the government of the United States[1] by us which goes by the same conveyance with this letter; which I hope will rouse the indignation of the public against those men in the U. S. who have been the principals in the villainous expedition of Miranda, and induce our government to make some effort for our freedom. If the statement which we have sent at different times to America is published I have no doubt but it will have some effect.

Ever since our capture we have had no correct information from America, nor had any oppertunity of seeing or speaking with any of our countrymen until the present time. There arrived here a few days since Capt. Barker who has been a prisoner some time among the Spaniards; his ship was taken, himself and all his crew made prisoners on the coast of Chili; he is now on his way to the U. S. where he will make public the manner of his being taken, and the treatment he has since met with: We are under many obligations to Capt B. and his mate, James Bate, for their attention and polite treatment to us while in Carthagena; the depreations [*sic*] of the Spaniards on the American commerce I hope will not remain long unpunished. I allude nothing to our situation for it is of a different nature.

During my imprisonment I have enjoyed good health except a few weeks about last Christmas, when I had an attack of the fever of the Country; I am now in good health. I wrote some time since to my brother, Mr. Allen, which I hope has arrived safe. You must not be surprised if you hear nothing further from me during my imprisonment, as an opportunity of writing may not occur again perhaps the *ten years*. It is galling to my feelings to think of my miserable situation now and contrast it with what it once was; but hope that great cheerer of the human mind bids me look forward to the day when I shall again see both my friends and my country.

My love and affection to all my brothers and sisters, friends and acquaintances, particularly to Dr. Jones and family.

Your Affectionate

H GERSOLL.

Jonathan Ingersoll,
Stockbridge, Mass.

[1] *American State Papers*, Foreign *Relations*, III. 257.

1807
April 1 John Scott Died
July 4 Arrived the Ship Four Sisters Cap^{t}. Carson from the City of New York with Cloaths and about 200 Dol in Cash for us which was collected by a Committee appointed for our Relief. [Some received more money from their immediate friends which enabled them to effect their escape as will be more particularly related hereafter. This was a seasonable relief. At this time the spirit of the prisoners was at its lowest ebb. Every thing appeared gloomy; no prospect of relief; supposing themselves forgotten, their minds were ready to sink with dispair.]

III. H. INGERSOLL TO HIS PARENTS.

Carthagena, August 2, 1807

Dear Parents,

Although fifteen months has elapsed since I was taken prisoner, during which time I have written home several times and not received an answer, still I cannot let pass the present opportunity of again writing. You will perceive by the date of this letter that I am still in Carthagena from whence I wrote you in my last I expected to be sent to Omoa, the place of my destination the first opportunity; why I am not removed is best known to the Lords of this Country. I am still kept in irons, and in prison, but my situation is in some degree meliorated by the benevolence of the good citizens of the United States. A subscription has been set on foot in the principal cities of the United States for the relief of all the prisoners taken in the two schooners of Miranda. On the 4th of July last arrived here the Ship Four Sisters, Capt. Carson from New York, with cloathing and some money for us, sent by the citizens of New York; the money amounted to upwards of $4½ a man; there was more than a suite of cloathes a piece, besides a blanket and handkerchief for each one.[1] We cannot feel too grateful to the citizens of New York for those supplies, as it greatly relieved our necessities: We recived at the same time a letter from the Committee, appointed by the citizens of New York for receiving money, for the prisoners and sending it us by proper conveyance and stating that every thing that was possible would be done for us. the following is a short extract from the letter— "*You must not decive yourselves with the hope of release through any agency of our government they cannot appear in this business— but from the generosity of the Spanish Monarch every thing may be hoped on a representation being properly laid before him. this will be shortly done, and forms one of the first objects of our solicitude. the next will be to furnish you quarterly with such supplies as will render your imprisonment supportable.*"

I would ask why cannot we flatter ourselves with the hope of release from our government? The answer is, *she cannot appear in this business.*

[1] "Also a pair of shoes."

very strange indeed! the present day appears to be an epoch of great importance, and the American government is delicately situated; she wants able men at the helm to steer her through the present crisis, and conduct her to glory. From the little information I can gather of American politics she is disturbed by factions at home and threatened by war from abroad: I have heard that Aaron Burr is to be tried for treason, I think Thomas Jefferson might be tried for the same crime: however I may be mistaken, I may not possess correct information as to what is going forward in the busy world. I anxiously wait for the time when I shall once more visit my native land.

I know from your internal situation you could not know when an opportunity offered of sending letters to this place, might have deterred you from writing; but if my Father would take the trouble of writing me and enclosing the letter to Mr. R. B. Forbes, No. 3 Greenwich Street, or Alpheus Sherman, N. York, who are the acting Committee in behalf of the citizens of New-York and direct the letter to me prisoner, Carthagena, it would reach me, the U. S postage must be paid;

During Capt Carson's stay here he has been unremitted in his attentions to the prisoners. he has not only done his duty in delivering the cloathes and money entrusted to his charge but he has visited us almost every day, which I can say is a blessing to men in such a situation to have an opportunity of conversing with a countryman in a foreign country.

Dear Parents I will close this letter by requesting you in case you write me to be very particular in every thing respecting the family, since I left home. My most affectionate love to my Sister Sally and Mr. Allen, also to my brothers Thomas, John, David, and my little Frederick, to my sisters Mary, Eunice, Emeline, Lucy and Harriot, tell them they must not forget me, my respects to all enquiring friends.

your ever faithful and
affectionate Son
HENRY INGERSOLL

Mr. Jonathan Ingersoll
Eunice Ingersoll.

1807

Sep^{t}. 26 Cap^{t}. John O Sullivan made his escape. [He was in the hospital where he had been sent while sick. during the time he lay sick by bribery he obtained a pair of irons with a screw head made in the bolt, by which means [*he*] could take them off at any time without fear of being discovered. The prisoners while in the hospital seldom had the door of the cell shut. a Centinal was always placed there. this door opened into a yard which communicated with the Street by an opening in the Wall fronting the street. at this place was stationed another Centinel also. No one of the Prisoners were ever allowed to pass the inner Centry into the yard but might approach the door for the purpose of breathing the fresh air. Under these circumstances, Sullivan determined to make a brush. Between Sundown and dark while some

1807 of the prisoners engaged the attention of the Centinel in conversation Mr. Sullivan took of his irons unperceived by him and passed into the yard without being discovered here he met one of the attendants of the hospital who before he gave the alarm Sullivan had slipped into his hand several pieces of gold which possessed such powerful charms as completely to shut his mouth. He then rushed passed the guard into the Street. in his way he knocked down the][1]

Oct. 29 Jeremiah Powell was pardoned by the King of Spain.[2]

Nov. 7 After much labor there was a hole cut through a fourteen Foot wall which was the back wall of our cell. eighteen went out. only three made their escape namely William Lippingcott John H Sherman[3] and Moses Smith the Remainder were taken and confined in stocks and double Irons for more than three months.

28 Frederick Reggers Died

1808

May 25 Daniel Mackie Died

} those two men died from being confined a length of time in stocks

IV. H. INGERSOLL TO HIS PARENTS.

Carthagena prison (S. America) July 4. 1808.

Dear Parents

It is with regret I am again obliged to date my letters in a Spanish prison. The last information we received from the U. S. gave us some hopes we should in time regain our liberty. but it appears that the Committee formed in N. York for the relief of their countrymen in slavery, had no other object in view but to flatter and decive us. Or that they have fully accomplished their intentions by supplying two or three with money sufficient to make their escape. I have never expected to receive pecuniary assistance from my Parents. but as it is the interest of every man of us to make as many friends in America as possible, I have in my former letters written in what manner my father might be of service to me, and in this letter I will repeat it: for I know of no one action in my whole life (except coming on this Expedition) whereby I have for-

[1] The narrative which Ingersoll wrote out after his return (but apparently before 1811) ends at this point.

[2] Jeremiah Powell, who joined the expedition at Jacmel, and was made a major in it (Biggs, p. 50) was the son of William Dummer Powell, a judge, afterward Chief Justice, of Upper Canada, see *post*, and *Canadian Archives*, 1892, Upper Canada, pp. 359, 360, 369, 396; *id.*, 1893, Upper Canada, p. 7. Biggs says (p. 246) that Judge Powell procured at London a letter from Dr. Jenner (the discoverer of vaccination), which gained him access to the King of Spain. King Charles IV. had been greatly interested in vaccination, and had sent an expedition around the world to propagate the method in his colonies. *Annual Register*, 1806, pp. 350*—353.*

[3] Author of *A General Account of Miranda's Expedition*, New York, 1808.

feited all claim to paternal affection. If our unfortunate situation should ever become a subject of governmental consideration, that my father would represent to *Mr. Bidwell*[1] or whoever may be member of Congress for the County of Berkshire my situation, and if he has the least spark of humanity he cannot but advocate any measure which would tend to our liberation. I am certain that if our pardon was asked of the King of Spain it would be granted immediately. If nothing is done for us generally, then everyone will have to depend on himself, and his friends. If my father was to obtain a recommendation from some of the principal men of Stockbridge in my favor, which I think might be done, and transmit it by the member of Congress to the Marquis de Casa de Yrujo the Spanish Ambassador, together with his representations something might be done in my favor. At any rate I wish my father would write me and send it to the Spanish Ambassador, or to the Spanish Consul in N. York. We have been told that the "government of the U. S. cannot openly appear in this business." I ask why not? are we not American citizens? do we not deserve the protection of our Country; indeed have we not a right to claim it? did we not engage under an officer of the U. States, Col. W^m^ *Smith* of N. York.[2] or Ship on board of the Leander Capt. *Lewis* under *American colours*. I know there never was men in a simular situation as ourselves. It is also said the government of the U. S. knew nothing of this Expedition: but I say some of the heads did know of it: I will mention some both in and out of office high in the estimation of the U. S. who not only knew but aided and abetted this cursed Expedition. viz: Thomas Jefferson president of the U. S. James Maddison Secretary of State, John Adams the former president of the U. S. and Rufus King formerly minister to England, are a few only who knew of this business. I have every reason to believe that many of our letters to our friends in America have been suppressed by those who were concerned in this Expedition.

In October last Mr. Powel son of Judge Powel of Canada by the exertions of his father received his pardon from the King of Spain. In November last 18 of us broke prison and three only effected their escape. they had been supplied by their friends with money.
believe me to be your affectionate and dutiful Son,

H. Ingersoll

Mr. Jonathan Ingersoll
Mrs. Eunice Ingersoll

P. S. If my father should write me, direct to me American Prisoner in Carthagena.
I have nothing more at present to write but my most affectionate love and best wishes to all my brothers and sisters. my compliments to all friends. H. I.

[1] Barnabas Bidwell, M.C. 1805–1807, a Stockbridge man.
[2] Col. Wm. S. Smith, surveyor of the port of New York, son-in-law of John Adams.

1808

Augs[t] 10 Arrived his majesties Sloop of war Sabrina Cap[t] Edw[d] Kittoe with the news of Peace between England and Spain[1]

V. THE VICEROY TO CAPTAIN KITTOE.

(Copy of Translation.)

Sir.

Among the many persons captured under Francis Miranda's orders I doubt not there may be some British subjects but they are all criminals and have been tried and sentence passed on them by the Tribunal at Carraccas which is wholly independent of my Jurisdiction.[2] it is therefore out of my power to afford them the relief I would have done in consequence of your intercession of the 12th of August last. Your request in behalf of those who were Prisoners of War has been complied with.

I remain
Sir
Your humble servant,
(Signed) ANTONIO AMAR.
Vice Roy.

VI. H. INGERSOLL TO BARNABAS BIDWELL.

Vaults of St. Clara, Carthagena, S. America
Oct. 1. 1808.

Respected Sir,

I take the liberty to transmit to you a copy of a memorial of thirty-six American citizens to Congress with a request that you would adopt some sure means to lay it before that body. I am induced to this from a consciousness that when the government of my country is fully acquainted with the treachery and villainies made use of to entrap her citizens into the service of a foreign outlaw she will leave no means untried to rescue them from slavery. We have been nearly three years in irons a part of which time in stocks, not suffered to be let out to answer the ordinary calls of nature. We have already made one representation to the U. States but we fear it has never reached them for we do not find anything is doing in our favor. It is true a subscription was made in N. York for the purpose of sending us supplies, and defraying the expence attending sending on a representation to the Spanish Monarch, but from

[1] For Kittoe, see Marshall's *Naval Biography*, X. 63. He had commanded the *Sabrina*, 18, since the autumn of 1806. During his stay in Carthagena, Capt. Kittoe showed great interest in the prisoners and took active steps for their release. He sent a petition to the Viceroy of Santa Fe (Bogotá), whose jurisdiction extended over the district in which Carthagena was situated. This petition is printed in *American State Papers*, Foreign Affairs, III. 258, and in *Annals of Congress*, Tenth Congress, 2d Session, pp. 491, 492; and therefore is not printed here. The reason for its failure will be found in the reply next given.

[2] Caracas was in the captain-generalcy of Venezuela, Carthagena in the viceroyalty of New Granada.

the lapse of time we fear nothing has been done. I have no doubt from your known humanity you will do everything that lays in your power to restore to liberty so many innocent men groaning in foreign slavery

As for myself I was not under the same engagements mentioned in the memorial; i. e. to guard the mail from N. Orleans to the city of Washington. I was a passenger on board the ship, otherwise I am in the same predicament mentioned in the petition I have previously written to my father in what way he might convey me a letter, which was to deliver it into your charge to convey to the Marquis de Casa de Yrujo, the Spanish Ambassador at the City of Washington who would transmit it to Carthagena, with a proper representation to the Marquis in my favor, which has already been done by Judge Powell of Canada to his Son in this prison. Mr. Powell obtained the pardon of his Son by going to London himself and from thence to Madrid, but as I have never received any answers to my letters, I fear my friends may think me guilty of the crime of piracy alledged against me; if so, I have but to regret still more my unhappy fate. If you would take charge of a letter from my father, and deliver it to the Spanish Ambassador, with a request to forward it on to me, I shall be under many obligations to you Sir, and shall ever remember it with gratitude.

your most ob^{t} and humb^{le} serv^{t}
HENRY INGERSOLL

Hon. B. Bidwell Esq.

VII. H. INGERSOLL TO DR. HORATIO JONES.

Vaults of St. Clara, Carthagena, S. A. Dec. 6, 1808.

Dear Sir,

On your arrival at Stockbridge from Philadelphia you must have, no doubt, been very much surprised on hearing of my leaving New-York in the expedition of Gen^{l} Miranda's; an Expedition which has so completely proved my ruin—but I then tho't it was for the best. I am induced to write to you from the hope of receiving an answer, as I have wrote a number of letters to my father, also pointed out the way in which he might convey me an answer but have never received a single line from him. Ere this you must have been informed of every circumstance attending Miranda's expedition, therefore it is unnecessary to enter into a full detail of the subject, but will content myself by mentioning the most material circumstanstes which have have happened to me since I was sentenced to *ten years slavery*.

Soon after sentence was passed on me at Porto-Cavallo I was sent from thence and all my companions to this place. immediately after our arrival here we wrote a memorial to the government of the United States, which, as far as my recollection serves me we sent on to the U. S. in Dec. 1806, but have never heard any thing concerning it. In August of the following year we received a small sum of money and some cloathes from a Committee formed in N. York for the purpose of receiving sup-

plies, and sending them to the Americans in slavery in South America, with assurances from them that they would do every thing in their power to obtain our liberty, and that in the mean time we should receive supplies every three months. in their letter to us they also mentioned, "*you must not deceive yourselves with the hope of release thro' any agency of our government. They cannot appear in this business.*" What authority they had for this assertion I cannot say, or what design they might have had in writing it is equally unknown to me; notwithstanding their fair promises we have never heard any thing further from them. Soon after receiving the above supplies John Sullivan who was Capt. a short time of one of the schrs. which was taken made his escape from the Hospital in this place. he had received some money sent him by his mother in N. York which enabled him to effect his escape with ease.

October of the same year Jeremiah Powell son of Judge Powell of Upper Canada received his Pardon from the King of Spain on the application of his Father. In November following 18 of us broke prison; not being acquainted with the country around Carthagena 3 only effected their escape, whose names were John Sherman, Moses Smith of New York, and Wm. Lippencott of Philadelphia who had been supplied with money by their friends in America. The remainder of us, your humble servant among the rest had the misfortune to be taken six miles from Carthegena, bro't back, our old irons put on, and additional punishment inflicted on us by being confind four months in Stocks, not suffered to be taken out to answer the ordinary calls of nature. We have not been able for upwards of 18 months to obtain any correct information from the U. S. it is true we have understood there has been an embargo laid on the country this some time past, and that America was likely to go to War with England, which may God avert. In August last Edward Kittoe Esq. Commander of H.B.M.y's sloop of War Sabrina arrived at Carthagena with the news of peace between England and Spain. On Captain Kittoe's arrival at this place we acquainted him with our unfortunate situation who immediately sent on a Petition to the Vice Roy of this Province for our Pardon, but more particularly for those who were British subjects, there being nine amongst us who were British born subjects. The Vice Roy returned a very polite answer to Capt. Kittoe's request but as we were tried and sentence passed on us by the Tribunal at Carracas which was wholly independent of his Jurisdiction, he could not grant him his request which he otherwise would have done had it lain in his power. We are much indebted to Capt. Kittoe for his generous interference in our behalf for nothing but humanity and a strong desire to relieve distress could have induced him to the above step. Capt. Kittoe pledged his honor to us he would lay our case before the Royal Junto in Spain and ask himself for our pardon; what will be the result, God only knows, at all events I expect the British subjects will be soon liberated.

Capt. Kittoe sailed from this for Cadis in October last with dispatches, by whom we sent several letters to the U. S. also another memorial to

our government ; I transmitted a Copy enclosed in a letter to the hon. Barnabas Bidwell, Esq. with a request to lay it before Congress, I wish you would enquire if he received it, if he has use your influence with him to have it laid before Congress. Previous to Capt. Kittoe's leaving this he advised us to petition the Capt. General of Carracas, which he would have done himself had he remained in Carthagena long enough to receive an answer we have accordingly done so, and had it translated into Spanish and expect an answer in March next. to add force to our petition we want some one like Capt. Kittoe to back it. Since we have been in Carthagena 6 have died, 4 have made their escape and one obtained his pardon : those who have effected their liberty were men who had friends in N. York or Philadelphia, who supplied them with money, by which means an escape from a Spanish Prison may be effected ; if the persons above mentioned had not got their liberty I fancy ere this [*some*] thing further would have been done for us, but now, owing to the few friends those have in the U. S. who are left in prison, I do not much expect our gov. will take our case into consideration. It has been my opinion this some time that we are kept here from party views. I can gather little or no information from the U. S. but it appears to me that party spirit absorbs every other consideration. It is a disgrace to the U. S. that she suffers her citizens to remain in slavery for I have every reason to believe that Thomas Jefferson not only knew but aided the cursed expedition of Miranda. I am told here we need only be ask'd for, to be liberated. I think my pardon might be obtained by my father thro' the means of the American Consul in Spain, during the present critical situation of that Country.

Since the Peace between England and Spain there is a continual intercourse between Jamaica and this place which enables us to send directly to the U. S. thro' the same channel letters might be conveyed to me, therefore I hope Doct. Jones will not fail to write ; send the letter to some correspondent of yours in N. York to be forwarded to Jamaica ; direct to me, *American prisoner, Cartagena, de Indies* to the care of Mr. Beard, Proprietor of the American Hotel, Jamaica, who will forward it on to me.

Your esteemed friend,

H. Ingersoll

Doct. Horatio Jones

N. B. A Mr. Saunders one of my unfortunate companions, has just completed a pamphlet, containing a full account of Miranda's Expedition.[1] The material from which he has collected this little book he procured from a James Gardner who suffered death at Porto-Cavallo, the evening previous to his execution. It appears very correct, and I believe will receive a general reading and excite the indignation of every honest American. It will unmask a number of persons who have hitherto possessed the confidence of their countrymen and enjoyed the highest posts

[1] For Robert Saunders, see *American State Papers*, Foreign Relations, III. 257, 258.

of honor and profit within the gift of a free and enlightened people and prove them to be the abettors of a most abandoned and unprincipled villain. Mr. Gardner attended a number of the secret meetings of the persons residing in N. York previous to the departure of the Expedition.

P. S. I wrote to my father by the last conveyance to Jamaica, which was in November last. if America goes to war with England, I do not expect my letters will reach home. The memorial which I sent to Mr. Bidwell I expect will go by the way of Europe. Give my duty and affection to my father and mother, my love to all my brothers and sisters, my respects to Mrs. Jones and compliments to my fellow student Wm. Brown, also to all enquiring friends.

yours, &c.

H. INGERSOLL.

[Superscription]

Doct. Horatio Jones, Post-Master.
Stockbridge—Berkshire County,
Massachusetts.
U. S. A.

pr. Capt. Curtis { To the care of Mr. Beard, Proprietor of the American Hotel, Kingston, Jamaica.

1809
Feb. 2 Don Antonio Narvaez General of the troops of Carthagena ordered John Moore out of Prison on Parole

VIII. H. INGERSOLL TO T., J. AND D. INGERSOLL.[1]

[Carthagena S. America, Feb^{y} 3, 1809.]

Dear Brothers

I have just returned from the King's Hospital in this place recovered from a severe fit of sickness. thank God I am now tolerably well. you must, ere this, all be well acquainted with the circumstances of my imprisonment, some occurrences however, may not be unworthy of notice. four of my unfortunate companions have made their escape since we have been in Carthagena, owing to their receiving assistance from their friends in America ; several have died, *one* has received his pardon from the King of Spain CHARLES THE FOURTH on the application of his Father, who is a gentleman of some influence with the British Ministry. Not long since there arrived at this place H. B. M's sloop of war Sabrina, Edward Kittoe, Esq. commander, with the news of peace between England and Spain, and owing to the shameful neglect of the American government towards us for nearly three years, nine amongst us who were british-born subjects, (but who had a just right to claim the protection of America) made known to Capt. Kittoe their situation acknowledging themselves british subjects, and claiming protection

[1] A copy of this letter, without the postscript, was made in the same handwriting, but shows no sign of having been mailed. The letter itself is marked as forwarded by Mr. Macpherson of Kingston.

as such. In consequence of which Capt. Kittoe generously exerted himself in the behalf of us all, he sent on a petition to the Vice Roy of this province at *St. Fe* for our pardon; the Vice Roy made answer that as we were sentenced by the Captain General of Carraccas who was wholly independent of him, therefore he could not grant him his request, which he otherwise would have done. previous to Capt. Kittoe's sailing from this for Cadis he advised us to petition the Captain General of Carraccas for our pardon, which we did, had it translated into Spanish and sent it on to Carraccas when Capt. Kittoe sailed we gave him a memorial to our government for him to forward; he also took a representation of our situation to the *royal junto* at Seville in Spain, which he promised he would lay before them and ask himself for our pardon; the result of which time alone will unfold. in case all of us being refused eventually the british subjects will be cleared.

The British subjects also petitioned his Grace the Duke of Manchester governor of Jamaica, making known to him their situation, requesting him to use his influence with the Spanish governors to alleviate their sufferings. I understand the Duke published their petition in Jamaica with an answer that he could do nothing for them in his *official* capacity at present, as it would be anticipation on his part to attempt it, as Capt. Kittoe had, ere this, represented all our situations to the Royal Junto in Spain. however there are now in port two English vessels, the one from Europe, the other from Jamaica, one of the Captains bro't letters for a Mr. John Moore,[1] one of the british subjects (also some money) whose father is a Capt. in the British service, his Uncle a Col. James Moore, he has also other relations of high birth—rank goes a great way with the Spaniards. I believe Mr. Moore has recommendations from gentlemen in Jamaica to some Spanish officers in this country; at any rate, in consequence of the exertions of the English captains, together with the wish of the Spaniards at the present moment to do the English favors, *Don Antonio Narvaes* a Spanish Lieutenant-General used his influence with the Governor of Carthagena to have Mr. Moore's irons taken off which has been done, and is to go his security to take him out of prison to his house till his pardon can be obtained; I expect he will go to the general's house in a few days; the English Captains are making every exertion that lays in their power to relieve their country men, in fact they do every thing for us all they can; but they *can do nothing* for the Americans. thus you see one or two private Englishmen are doing everything to relieve their countrymen, while America sits idly looking on, and sees her citizens in slavery without making one single exertion to relieve them.

Dear Brothers

I have written a number of letters to my dear Parents one to my brother Thomas Allen one to Barnabas Bidwell, Esq. to whom I enclosed a memorial to Congress requesting him to lay it before that hon. body; also one to Doct. Jones, in the major part of my letters I

[1] Called John Edward Moore in the pardon.

have pointed out the way in which letters might reach me, but have never received an answer to any of them. It is an additional cause of grief to my other sufferings that I am unable to hear from my friends, and at the same time not knowing but my parents may think me guilty of the crime alledged against me. it cannot be that by one act of my youthful days I have forfeited all claim to Parental or brotherly affection, especially as by that act I tho't I was not only rendering my self a service but supposed the ruinous Expedition in which I engaged was perfectly fair and honorable, I believed at that time and do now that it was known to the President and the other heads of Departments in the United States

Direct to me, *American prisoner, Carthagena, to the care of J. M. Macpherson, Kingston, Jamaica*; the letter can be easily forwarded from New York to Jamaica.

My most affectionate love to my dear Father and Mother, all my Sisters and to my little brother Frederick. in the mean time believe me to be your affectionate

Brother

To Mr. Thomas, Jonathan, jun. HENRY INGERSOLL
and David Ingersoll—
Brothers, Stockbridge,
Berkshire County, Mass.

Vaults of St. Clara,
Carthagena, S. America, Feb^{r} 3, 1809.

P. S. Since writing the above, *Mr. Moore* has been taken out of the prison and sent to Gen. Narvaes' house. H. I.

1809
March 16 William Carthright Died
Ap^{r} 1 Received Four Hundred Dollars which the good Citizens of Jamaica subscribed for our relief
9 Thro' the interest of D^{n} Antonio Narvaez the Vice Roy of St Fe ordered the Irons taken off of all those that own^{d} themselves Englishmen and a single one put on
17 Hugh Smith a boy about 12 Years old, Mr. Scott an Englishman took out of Prison, on bail.

IX. H. INGERSOLL TO HIS PARENTS.

Carthagena de Indies, April 24, 1809.

Dear Parents

I consider I have done my duty towards you in letting you know at various times my miserable situation. I now intreat you by all the affection you ever had for your unfortunate Son to convey him a few lines. I have lived (I can scarcely say live but existed) during my confinement with a distant hope that I should yet one day enjoy the blessings of liberty—but I fear I have encouraged a false hope, it was that alone which cheered me in my solitary hours and kept me alive thus long

—but I now give over every hope and expect to make my exit in prison; still, whatever may be my lot I shall always recollect with tears of thankfulness the kind instructions of my dear parents, particularly the tender and affectionate care of my dear mother during my youth. Were I so disposed I could fill sheets to prove to you that the U. States in whatever light we are considered are culpable in their neglect towards us. Direct to me, American Prisoner, Cartagena *de Indies*, to the care of J. M. Macpherson Kingston Jamaica who will forward it to this place.

your dutiful and affectionate Son,
HENRY INGERSOLL

Mr. Jonathan Ingersoll
Mrs. Eunice Ingersoll.

X. G. BACCHUS TO E. BACON.

(Copy.)

Phil[a] May 19[th] 1809

Hon[r] Ezekial Bacon Esq.[1]

Dear Sir

I drop you a few lines on the subject of those poor unfortunate people who are in the Santa Clara Prison at Carthagena on the Spanish Main.

I have to inform you that I am going out to Laguira and perhaps Porto OBello a few leagues to leeward and two or three days sail from Carthagena. I now offer a tender of my services and would proceed down to Carthagena, and endeavor to relieve those unfortunate people who have been suffering there such a length of time. As Congress will not do any thing in this business, it might be done by Subscriptions being set on foot here, New York, Boston, Salem, and Baltimore. I am confident a Sum would be subscribed in one week adequate to every expence that might attend such a voyage. Letters must be obtained from the new Spanish Minister and from Mr. Erskine the British Minister, to the Vice Roy of that province who resides at St. Fe 900 miles from Carthagena, the expence of sending express would be considerable and a detention of forty days this must be done before August as their rainy Season begins when the roads in that Country are impassable.

I have been at Carthagena and know the difficulty of doing business in that Country. if necessary I could go to Carraccas and get letters from the Gov. Gen[l]. there to the Vice Roy. at any rate if they could not be released their distresses might be alleviated. The best way to get this business into immediate motion would be to get a Member of Congress to write on to some respectable House here to set a subscription on foot in N. York and Boston, &c. Doct. Eustis would be a good hand to speak to about it. Jn[o]. Gardner Jun[r]. here and Noah Talcott New-York, would be a good house to set the business a going there. Gen[l]. Smith of Baltimore would be a good hand to put the motion there. If you think any

[1] Ezekiel Bacon, a lawyer of Stockbridge, was M. C. from 1807 to 1813.

thing can be done in the business write me here to care of Jn°. Gardner Jun^r and all attention on my part shall be in force to accomplish the desired effect. I can give every satisfaction necessary as to my responsibility and will get letters to that effect if any thing will be done. your immediate reply will be necessary as I don't wish to be detained long on acc^t. of this business on an uncertainty. I speak the Spanish Language which would facilitate the business.

I am
With esteem
Yours most ob.^t Serv.^t
GURDON BACCHUS.

I think $1000 might be raised here by the Equestrian Company in one night. it would take very quick. I will mention this business to some of the Merchants here and drop you a few lines in a day or two.

G. B.

1809

April 29 Joseph Heckle a boy of 12 years old made his escape from the place he used to work at.

May 20 John Moor and Henry Ingersoll rec^d their pardon from the Royal Junta in Spain

XI. H. INGERSOLL TO HIS FATHER.

Georgetown, *district of Columbia* July 15. 1809.

Dear Father

I have the Indescribable satisfaction to inform you of my arrival in this town last night from Carthagena prison having received my pardon from the Royal Junto of Spain, which was a most agreeable surprise at present inexplicable to me, having never received any letters during my imprisonment; to whom I am indebted for my liberty I know not, but shall always consider myself under great obligation to them and hope I shall never be deficient either in gratitude or thanks. I hope my father will inform me in what manner my pardon was procured. My pardon says, "*It is in consequence of my good faith and character, and little experience,*" &c. At present I wish to lay myself under further obligations to my parents. when I received my pardon I was sick at the Hospital without either clothes or money, therefore I was under the necessity to draw an order on my father for sixty dollars, which money I obtained from Mr. Samuel Ober Supercargo of the schooner Citizen of this place. With a promise that it should be paid soon after my arrival, the Capt. of said schooner gave me a passage home. Perhaps my father may think I was too extravagant, but I assure him I could not do with less, in my next I will be more particular, suffice it to say, expended for a change of clothes $35, which was as cheap as I could do with, on a voyage at Sea, my expences in Carthagena together with the necessary documents of my pardon for which I had to pay $10 one barrel of bread which the circumstances of the vessel rendered it necessary for me to put a-board $10 more, and five

dollars I had on my arrival at this place in all amounting to $60. which if it is possible I wish my father to remit on to me as I have promised it should soon be paid. if it is difficult for my father to obtain the money I hope to be able in a few months to refund it, as I will go to work if possible and not return home till I can pay it. A few days after my irons were taken off, in consequence of my being so long confined and suddenly set at liberty, my ancles were so swelled and lame I tho't I should lose the use of my legs, but after being one week or ten days at Sea I recovered the use of them. I hope my brother Thomas will afford me some assistance, when he considers that I have been unfortunate, and perhaps I shall yet one day have it in my power to make ample recompence, sure he cannot deny me. do not my dear father disappoint me in this my request. I wish my father to inform me what means were made use of to obtain me my liberty; also the particular state of the family. My most tender and affectionate love to my dear mother, all my brothers and sisters.

in haste, your affectionate Son,

Mr. J. Ingersoll. HENRY INGERSOLL

P. S. Direct to me Georgetown, district of Columbia.

XII. H. INGERSOLL TO T. INGERSOLL.

Washington City July 20, 1809.

Dear Brother,

Last week I wrote to my father informing him of my liberation, and arrival at Georgetown, also requesting him if possible to send me $60 which money I received from Mr. Samuel Ober, Supercargo of the schooner Citizen, at Carthagena. in that letter I requested that you would assist me if it laid in your power, which I now repeat hoping that you will not deny me. In my letter to my father I requested he would inform me what means had been made use of to effect my liberty since which, as I suspected, I find the Hon. Mr. Bidwell, and E. Bacon have in some measure contributed towards it. Also from a paragraph under the Stockbridge head of July 1, I observe an application was made by Mr. Erskine the British Minister, to the Spanish Ambassador. I wish to be informed of every thing respecting this transaction. I have had access to the Journals of the House of Congress, and have obtained copies of some documents, which was laid before them, respecting our petition, and am sorry to find that the report of the Committee in our behalf was lost, in consequence of the Speaker's decision. I had determined to be very minute and particular in this letter, but find myself incapable; I have not yet composed myself, so many objects having at once crowded upon me that I hardly know what to do or where I am, in fact, I sometimes doubt whether I am not dreaming all this while; would to God, however, I had arrived here during the session of Congress. I should have been of service to my fellow prisoners. I have matter enough to fill sheets, and was my mind at perfect ease I should know where to commence. Allowances are to be made for my present situation, therefore this unconnected scroll is excusable.

About the 20th of May, I was informed my liberty had arrived in Carthagena, from Spain; *Genl. Narvaes* was the person who sent me the above information; the joyful sensations the above excited, mingled with those of a different nature, are too great and difficult to be described. The afternoon of the same day I was visited by Don Manuel Ribero, of Carthagena, congratulating me on my restoration to liberty, friends and country, politely requesting me to make his house my home while in Carthagena, which I gladly accepted; I was ten days in prison before an order from the Governor could be procured to have my irons knocked off, which will give you a faint idea of the dilatory method of procedure amongst the Spaniards; those 10 days appeared to me the longest ever I experienced in my life; at last the blessed day arrived when I was once more set at liberty; the happiest day to me I consider of my whole life, the 30th of May, *Fernando 7th's* birth day; let those who have experienced the various vicissitudes of human life, or who have seen or felt misfortunes in various shapes form an idea of my reflections at that moment, no other can; after being 3 long years 1 month and 2 days closely confined, and in irons during that time; suddenly to enjoy the sunshine of liberty is a species of happiness few experience. The Gov.'s Secretary took me out of prison; before whom (the Gov.) it was necessary I should be presented before I could obtain my pass to leave Carthagena, to whose palace I was conducted, but he not being at home it was delayed till the next day; in the mean time, I was conducted to the house of Don Manuel's, at which place the Secretary was to call for me the next day at 10 o'clock. at the hour appointed I was taken before the Gov. on observing me, and being informed I was the person included in the Royal order of the 22nd of Feb. ultimo, he arose, gently bowed, eyed me from head to foot, spoke not a word, but seemed from the pleasant smile which was fixed on his countenance, to rejoice at my success, and turning around into an adjoining apartment, gave orders for the proper officer, to attend me to the public office, where I was to receive my passport and a copy of the Royal Order, there I wrote my name, which he filed with the public records, and after a delay of a few days, obtained my necessary papers; in the mean time I continued at Don Manuel's at perfect liberty; as soon as I had procured myself a suit of clothes any way decent to appear in the public streets I waited on Genl. Antonio Narvaes; for a description of which interview, you must wait until my next, as I have spun this letter already to a great length; enquire after my old friend J. Hunt, request him to write me; direct to Washington City; my duty to my Parents, love and affection to my brothers and Sisters, give my respects to Doct. Jones and wife, and suffer none of this to appear in public print. write me by the next mail, and believe me to be

your affectionate brother,

H. Ingersoll.

[Superscription,]
Mr. Thomas Ingersoll,
Stockbridge, Mass.

XIII. HENRY D. SEDGWICK TO H. INGERSOLL.[1]

Stockbridge 8th Aug^{t} 1809

My dear friend,

I have written You four or five letters three of which You certainly have not received and I sincerely hope You may not this as it will arrive at Washington after the time when We hope You will have left there. The only object in writing is inspired by a bare possibility that the letters sent by a number of your friends here to You after hearing your arrival in Washington did not arrive safely. In one of those letters was inclosed the sum of $100 in two $50 bills, which it was thought might be sufficient for your present wants. So sparing a calculation would not have been made had you not confined your request to your father to the small sum of $60. If any thing more is necessary, You will let me or some other of your friends here know immediately and You certainly will not delay a communication of that kind from any motives of delicacy. If however under your circumstances You should be so unreasonable as to entertain such a feeling towards your friends, You may obviate it by considering all *future advances* as a loan to be repaid when it shall be perfectly convenient.

The history of your liberation was sent You by our former letters, but as the only reason for writing now is the possibility that those letters did not arrive, I shall briefly state all that is here known of it. Some time last fall, I think in the month of November my Father wrote to Mr Erskine the British Minister requesting his influence and exertions to effect that object. Mr Erskine made an application to Mr Hammond one of his former opposition friends who in the change of ministry retained his place of Under Secretary of State. Mr Hammond who fortunately was formerly in this country and here acquainted with my Father immediately took a warm interest in the affair.[2] He was successful in obtaining the interference of Admiral Apodaca Ambassador from the Spanish Junta to the Court of St. James, and it seems that the request of that minister to his government was granted without the slightest delay. In reviewing the means by which this most joyful event has been effected it is scarcely possible not to recognize the beneficent interposition of Providence. At a crisis of the world when the slaughter of thousands is a thing of daily occurrence and scarcely of a day's recollection, ministers and governments whose kingdoms are now swimming and now sinking in the vortex of the whirlpool of revolution have promptly and efficaciously cooperated for the release of an unknown individual confined thousands of miles from them. The least coldness or delay in a single person who formed a link in the chain of communication would have probably have been fatal. Throughout your life this will be a theme of

[1] This letter evidently failed to reach Georgetown before Ingersoll's departure, since it was returned to Stockbridge unopened. Henry Dwight Sedgwick (1785–1831) was the second son of Judge Theodore Sedgwick, of Stockbridge.

[2] George Hammond, minister to the United States from 1791 to 1795, was under secretary of state for foreign affairs from 1795 to 1806 and from 1807 to 1809.

praise and gratitude to your God, and of most pleasing reflection and I trust improvement to yourself.

If an opportunity should present You will without doubt make your acknowledgments in person to Mr. Erskine. Your Father and Mother have written him two letters or rather one with a duplicate which were forwarded to New York and Philadelphia as We had learned from the papers that Mr Erskine had left Washington for the latter place. He however returned before the letter directed to Philadelphia could have reached that city. If You find that neither of the letters have been received, You can send them on.

We are waiting with the utmost impatience to see You. Your family entreat that You will not delay your return a single moment longer than is absolutely necessary. The last of next week is the time generally fixed on for your arrival.

With the utmost affection
I am Your friend
HENRY D SEDGWICK.

Mr. Henry Ingersoll,
[Washington.]

P.S. The postage is not paid from the improbability that this letter will ever reach You.

The Evolution of the Aryan. By Rudolph von Ihering. Translated from the German by A. Drucker, M. P. (New York: Henry Holt and Co. 1897. Pp. xviii, 418.)

Classifying the one hundred or more treatises since Omalius d'Halloy's first attempt in 1848, which have endeavored to throw light upon the origin of the modern peoples of Europe, we distinguish four clearly marked groups. The earliest was entirely historical, deriving its conclusions from classical literature and the testimony of the ancients; to this succeeded the methods of the philologists, led by Max Müller; then the ethnographers, Bertrand, Reinach, Montelius and their fellows, concerning themselves primarily with the study of arts and customs; and finally the physical anthropologists and prehistoric archaeologists, who deal in terms of head-form, color of hair or eyes, stature, and other purely physical traits. Little by little, as each mode of research has contributed its quota of information, the problems at issue have likewise become differentiated. From a primary confusion of race, culture, and language, we have learned to distinguish each in turn as to its origin and development, apart from the others.

The anthropologists of to-day recognize a complexity of racial origins which was unsuspected a generation ago. Diversity of physical types, each possessed of a distinct racial history, is as fully proved as is the immigration of Europe's civilization, independently of any particular racial type, from some centre toward the south-east. And now, Sergi and others, not content with this differentiation, are tracing an origin, development and immigration of language bearing little relation to either culture or physical types. Certain it is that the word *Aryan* is peculiarly a linguistic term, appertaining to a family of languages: possibly to a group of cultures; but absolutely worthless as designating any racial type. Unless these points be firmly grasped, the entire significance of this uncompleted and posthumous work of perhaps the greatest of German jurists is entirely lost. It is a misnamed book, abominably translated, which, however, contains certain brilliant interpretations of the primitive legal customs of the Semitic and Aryan-speaking peoples of the prehistoric period. More than this of direct contribution to knowledge is utterly lacking. Nay, the learned author, in his ignorance of the results from any other than the philological field, and in the sweeping character of his generalizations, has rather contributed to retard the normal differentiation of problems which has happily been taking place of late. The one justification for the volume is its critical treatment of the legal customs of Babylonia as preserved in its brick tablets. These are of conspicuous interest in any history of civilization. For all other customs, arts or

details of prehistoric culture the student will more profitably turn to Schrader's *Prehistoric Antiquities of the Aryan Peoples*, or to Canon Taylor's admirable little *Origin of the Aryans*. In all save the legal sections the work is so obviously out of touch with the most recent literature upon the subject that detailed discussion of its conclusions is unnecessary.

One feature of this volume deserves mention in passing. It affords additional proof of that tendency toward emphasis of environmental influences in history to which I have heretofore adverted at some length.[1] Thus the main purpose in the second book (p. 75) is "to bring out clearly the connection of the national character of a people with the soil upon which it lives;" or again (p. 226) to seize the "unparalleled opportunity" for proving the "causal connection between soil and people." In places, it must be confessed, traces of senility appear in the absurd development of this theorem; as for example (p. 84) where at great length the story of Cain and Abel, the former typefying agriculture, the other personating pastoral life, is laboriously developed into a general law of cultural progress. The work, with its interesting side-lights upon the origins of law, while but half finished at the author's death, marks the conclusion of a long life of marvellous intellectual activity.

William Z. Ripley.

Law and Politics in the Middle Ages, with a Synoptic Table of Sources. By Edward Jenks, M.A., Reader in English Law in the University of Oxford. (New York: Henry Holt and Company. 1898. Pp. xiii, 352.)

This is a brilliant book, and it will be a perfect godsend to many a young student of legal history. It tries to do,—and, so far as exposition is concerned, in large measure succeeds in doing,—what Sir Henry Maine did in so masterly a manner: light up the forest of technical detail with a few great generalizations, and make even the forms of legal procedure illustrate social evolution. Fifteen years have passed since the last of Maine's notable books, the *Early Law and Custom*, was given to the world. During the interval, Seebohm, Maitland, and Round have made very large additions to our knowledge of early English institutions; while with Brunner and Schröder, Viollet and Esmein coming to be familiar names to English and American students, a beginning has been made in the direction of a Comparative Jurisprudence worthy of the name. Yet if the older generation of law students troubled themselves too little about history, the present generation are in some danger of being overwhelmed by the multiplicity of historical particulars commended to their attention. There might seem to be room for a new venture in generalization; and Mr. Jenks, with an experience unusually wide for a comparatively young writer,—including as it does personal observation of the workings of Aus-

[1] *Political Science Quarterly*, X. 636–655.

tralian democracy,—and with a style both clear and forcible, would seem to be in some ways peculiarly well qualified for the task. He has, indeed, produced a fascinating book. Mr. Jenks has not only large ideas and a large way of handling them; he has also the gift of phrase. "The Frank Empire was a sham Empire," "Trial by Jury gives the death-blow to trial by peers;" phrases like these will cling to the memory.

Yet, though we congratulate the reader, we cannot but feel some regret that Mr. Jenks should have written the book just at the present stage of historical investigation. What he sets before us is a new key to medieval history. This he finds in the struggle between the State and the Clan, and almost the whole book is a working-out of the thesis. The exception is the first two chapters; in which he describes the "sources," with a view both to explaining what they are, and to showing the inapplicability of the Austinian definition of "law." This last would hardly seem necessary for those who had once read Maine's lucid lectures on sovereignty; but Mr. Jenks doubtless knows his audience. The remaining chapters, four-fifths of the book, are all occupied with an explanation of the way in which this struggle, first of the state against the clan proper and then against feudalism, which our author views as a reversion to the clan type, is reflected in the history of the administration of justice, of land settlement, of legal ideas of possession and property, and of the conception of contract.

But what is or was a "clan?" This is Mr. Jenks' pet word, and, so far as I know, he is the first writer to make much use of it. One has a right to expect something like a definition; and yet throughout the book there is no more exact account than this,—"a body of relatives" "larger and somewhat (more) indefinite" than a "household" (p. 162). The author takes for granted that everybody knows what a "clan" is; but as a matter of fact we are all very vague on the subject, and our notion of it shifts to and fro between a large "family" and a small "tribe." It sometimes looks as if this were the case with Mr. Jenks also; for much that he says about the state "using the law of inheritance as a means of destroying the clan" (pp. 225 *seq.*) might be regarded equally well as but steps in the destruction of the agnatic family. The word "clan" reminds us, to begin with, of Scotland. But the early history of the Scotch clan has yet to be written; and any investigator will have to reckon with Skene's view of it as a later development out of the tribe, owing to the pressure of economic conditions, and by means of something like contract. Where we are first introduced to the word by Mr. Jenks, we are told that the Teutonic state grew out of a "league of clans." This is said to be a common result of war, and we are asked in a note (p. 99) to "see this idea excellently worked out by Morgan" in his chapter on the Iroquois Confederacy. But with Morgan the confederacy was a confederacy of "tribes," on the basis of common *gentes* (in Morgan's sense of *gentes*). Instead of being "not homogeneous" and "based on entirely different principles" from the clan (p. 74), Morgan's confederacy arose by "natural growth," and "demonstrates the

reality as well as persistency of the bond of kin" (*Ancient Society*, p. 134). With Mr. Jenks "clan" is apparently (in some passages) much the same as the Roman *gens* (p. 162). Then were the "Tacitean clans, the Chatti, the Chauci, the Cherusci" (p. 73) *gentes?* As soon as we begin to ask questions like these we must realize the need for a far more definite terminology than we as yet possess. "Family" and "gens" and "phratry" and "clan" and "tribe" must all be given a clear connotation before we can make any scientific use of them. Something is being done by Mr. Seebohm in his study of Celtic institutions, much by Mr. Baden-Powell in his description of Indian conditions. Both of these, indeed, throw about the adjective "tribal" somewhat too freely; and perhaps even more is to be hoped from anthropology, now that, thanks to Professor Westermarck, it also has got rid of the spectacles of theory. If Mr. Jenks could have waited until his starting-point had been a little clearer, his work, I am sure, would have been of more permanent value.

All criticism in detail is so relatively unimportant that it is hardly worth while dwelling upon it. But it may be of use to briefly set down a few points in the order in which they occur: P. 42. The comparison of the Plantagenet Assises with "the rules" which "the lord of a domain may make for its management, at least with the concurrence of his managing officials" (cf. pp. 90 and 99 n. 16) is surely hardly safe. It is difficult to reconcile with the remark that "we shall never understand mediæval history unless we distinguish between the *domain* of the king which he held . . . as feudal proprietor, and the royal rights" (p. 88), or with the *de consilio omnium baronum* (Assise of Clarendon), the *per consilium et assensum . . . episcoporum et baronum . . .* (Assise of the Forest) of the ordinances themselves. With Mr. Jenks' view may be compared the judicious utterances of Bishop Stubbs, *Constitutional History*, I. § 160.

P. 66. The part played by Parliament would seem to be overstated. The peculiarity of English history lies not so much in the existence of a parliament as in its relation to the executive; especially during the Tudor period, when the executive, acting through the Council and Star Chamber, was uniquely successful in enforcing the law, and yet, for some reason or other, did not try to dispense with Parliament.

P. 152. "Tacitus describes . . . a shifting from one ploughland (*arvum*) to another. In other words . . . the Germans have discovered the secret of fallows and rotation of crops." See also the note 7, p. 185, where we are asked to "compare the discussion" of the Tacitus passage by Fustel de Coulanges in his *Recherches*. Whatever Fustel's positive conclusion may have been, and, though obscurely expressed, it seems to be *Feldgraswirthschaft*, his negative conclusion is clear. "Nous ne nous arrêterons pas à l'opinion de Eichhorn, qui a d'ailleurs été réfutée par Roscher et par Waitz. Il suffit de remarquer qu'il n'y a pas dans tout le chapitre un seul mot qui implique une alternance de produits agricoles ou une habitude régulière d'assolement." *Recherches*, p. 264.

P. 168. "In the Anglo-Saxon laws we note the appearance of the lord of land who takes his place as of right alongside of the reeve and

men of the township in the Hundred and Shire moots," referring to Schmid, App. XXI. 7, § 2, in which, however, there is no mention of any "men of the township" at all.

P. 169. "The village moot has been replaced by the hall moot." But has not Mr. Maitland made it clear that there is no evidence for a "village moot?" See recently, *Domesday Book and Beyond*, p. 353.

P. 213. That "even among the Ribuarian Franks . . . the conveyance of land took place in the public moot" is among the bits of evidence produced to show that "the other members of the village group had originally to be consulted." But as the same rule was common with regard to all sales (*e. g.*, p. 200, top), this fact, if it suggests any conclusion, suggests too much.

W. J. Ashley.

Feudal Relations between the Kings of England and Scotland under the Early Plantagenets. By Charles T. Wyckoff. (Chicago: University Press. 1897. Pp. xv, 159.)

This doctoral dissertation is a monograph on a subject which has been dealt with at considerable length in certain historical works, namely the dependence or alleged dependence of Scotland from the time of Edward the Elder to the close of the thirteenth century. There was certainly an opening for a treatise on this question, setting forth all the evidence from first to last; while the national prejudice shown by writers in Great Britain makes it specially appropriate that the task should be approached, as it were from without, by an American writer. Mr. Wyckoff has produced an admirable and most scholarly dissertation; but one feels that his sympathies, throughout, are with the Scottish case. This, no doubt, is a natural reaction from the latest writer on the subject, Professor Freeman, who took an extreme line in his *History of the Norman Conquest*, arguing, throughout, against the conclusions of the Scottish historian Robertson.

Where, as in this case, the evidence is restricted, and has been long minutely examined not only by historical writers, but by diplomatic experts, it is scarcely possible to find anything new to say. Mr. Wyckoff devotes his chief efforts to distinguishing between the homage due for (1) the kingdom of Scotland, (2) Lothian, (3) Tyndale and other possessions to the south of the Tweed. His object is to show that advantage has been taken, on the English side, of the confusion naturally arising from the complex character of the relations between the kings of England and Scotland. Denying that the latter performed homage to an English overlord for their kingdom, he admits, of course, a homage rendered for possessions in England, and recognizes the ambiguous character of the relations as to Lothian. By the treaty of Falaise Henry II. extorted from William the Lion a real admission of his overlordship, as over the kingdom of Scotland; but this Mr. Wyckoff urges was its earliest recognition. And the work of Henry, as we know, was undone by Richard.

The real difficulty of forming a definite conclusion is found in that element of forgery and interpolation which, apart from Hardyng's rascalities, pervades the evidence. Who, for instance, could speak positively on "the great commendation" of 924, in the light of the MSS., or on the contested charter of Edgar relating to Lothian? Mr. Wyckoff, however, has rendered a real service by discussing the question as a whole and chronologically. It is particularly gratifying to European scholars to find American students accomplishing good work in medieval fields. The bibliography appended to these dissertations is a useful feature; but neither Earle's edition of the Chronicles nor the subsequent work of Mr. Plummer is mentioned in it.

J. H. Round.

Marino Faliero: La Congiura. By Vittorio Lazzarini. [Estratto dal Nuovo Archivio Veneto, tomo XIII., parte I.–II.] (Venezia: coi Tipi dei Fratelli Visentini. 1897. Pp. 205.)

In the present publication the short and tragic government of the doge Marino Faliero has been investigated with a thoroughness which, if it does not dispel every doubt that may be reasonably entertained about the celebrated conspiracy connected with that doge's name, at least sets into clear view all its larger aspects. Signor Lazzarini has performed a most scholarly piece of work. His exhaustive information about Marino Faliero he has presented under rubrics which embrace every phase of the case and though seemingly detached have a perfect logical unity. Part I., constituting a kind of preface, is a discussion of the sources and the bibliography of the subject. In this part the author enumerates first the documents, which, by the way, are few and unprofitable; then, considering in chronological order the records and histories which deal with the tragedy of the doge, he accompanies each with a brief estimate of its value. Part II. deals with Marino Faliero, his public life, and his election in 1354 to the highest office in the state. Part III. contrasts the famous legend of the insult of the doge by young and gay patricians with the facts as established by the documents. Part IV. narrates the history of the conspiracy, its discovery, and the execution of the doge. A number of additional parts discuss various matters of minor importance, such as accomplices, punishments and so forth, and, finally, an appendix treats of several detached problems of a sentimental interest, such as Faliero's sepulchre and Faliero's portrait, and, best of all, offers a reprint of the documents gathered by the author in the state archives of Venice.

The evidence collected by Lazzarini for the case of Marino Faliero is so complete, the intelligence and carefulness with which he has sifted that evidence are so conspicuous, that we have reason to expect that Lazzarini's presentation will be accepted as final. What then is it that the author has done for the story of the famous doge? In the first place he has cut away half a dozen of the myths which, gathering about the conspiracy from the day of its discovery as moss and ivy gather over ruined

houses, have luxuriantly spread and have finally to the careless eye obscured the features of the original event. Thus we may once for all dismiss as legendary the witchery of the *dogaressa* in whose beautiful face, as if it were the face of another Helen, romancing chroniclers were disposed to discover the prime source of the subsequent disasters. Likewise we may much reduce the traditional proportions of the insult offered to the doge by riotous members of the nobility. Lazzarini has clearly shown: (1) that an insult put upon a doge was nothing unique in Venetian annals; and (2) that the punishment which was meted out to the culprits and which is usually represented as ridiculously light, was fully as severe as the practice of the century prescribed.

Having cut away, one after another, the mythical incidents of the conspiracy, Lazzarini puts before us finally a small but compact kernel of facts. These facts soberly considered suffice to transfer the history of Marino Faliero from the nebular realm of Byronism, to which it has been so long confined, to this our earth, and set it upon a solid and reasonable foundation of human motive and contemporary circumstance. Lazzarini's demonstration will leave little doubt in any mind that if Marino Faliero did not, like a mere vain, bungling fool, undertake to overthrow the mighty oligarchy of Venice because he had been lampooned by some swaggering dandies, neither did he, moved by vague premonitions of an era of *liberté*, *égalité*, *fraternité*, attempt to supplant the nefarious regimen of the aristocracy by a popular government. It seems quite plain from Lazzarini that the dominating idea of the conspiring doge was personal and political. He simply wished to free himself from the restrictions with which in the course of time the Venetian executive had been shackled and to acquire, after the fashion of the contemporary despots of Padua, Milan, Verona, and all northern Italy, the *dominium* or absolute power over the Venetian realm. It is only too probable that in this desire he was confirmed by personal animosities, but motives of this nature we cannot help assigning in the case of so experienced and politic a gentleman as Faliero to a secondary rank.

These results, here briefly outlined, can hardly be called new. They are embodied in the reputable histories of Venice from Leo down to Battistella. Lazzarini's merit, therefore, does not consist in the novelty of his presentation; it consists rather in having buttressed the old surmises and deductions with such masses of interesting and assured facts that the ancient hypotheses transform themselves under our eyes to indubitable statements.

FERDINAND SCHWILL.

The Diplomatic History of America. Its First Chapter. 1452–1493–1494. By HENRY HARRISSE. (London: B. F. Stevens. 1897. Pp. viii, 230.)

MR. HENRY HARRISSE, after having done more than any man in his generation to reveal all that can be known of the process of the discovery

of the new world, has now turned his attention to the relations between the European powers that grew out of the discoveries. The "first chapter" of this diplomatic history is an examination of the papal concessions to Portugal in 1452 and later, of the Bulls of Alexander VI., 1493, and of the treaty of Tordesillas, 1494. There is also a brief account of the Badajos-Junta, 1523–24, the detailed history of whose proceedings will constitute "chapter second" of his large design. The completeness, critical thoroughness, and sobriety of judgment with which Mr. Harrisse has treated these topics deserve the highest praise.

His narrative begins with the first Bull of Nicholas V., 1452, thus dismissing in silence the frequently mentioned Bull of Martin V., which the generally careful Muñoz apparently deduced from a passage in Barros, but of which no documentary trace has come down to us. The only Bull of Martin V. that has to do with the Portuguese conquests and that has come down to us is that of March 5, 1421, which provides for the organization of the new bishopric of Ceuta. Of the Bulls confirming that of Nicholas, issued in 1454, Mr. Harrisse remarks (p. 158) that he has not been able to find that of Calixtus III., which was mentioned by Juan and Ulloa. It is to be found in the collection, *Alguns Documentos do Archivo Nacional da Torre do Tombo ácerca das Navegações e Conquistas Portuguezas*, Lisbon, 1892, pp. 20–22. For the treaty of 1479 between Spain and Portugal, in regard to their maritime possessions, he quotes a Portuguese manuscript copy in the Paris National Library. It may be of service to add that the Spanish text which was signed at Toledo, March 6, 1480, has been preserved in the Portuguese archives and is printed in the collection just mentioned, p. 42.

Mr. Harrisse can find no evidence that the placing of the demarcation line at a distance of one hundred leagues from the Azores and Cape Verde Islands was suggested by any outside influence, and is satisfied that the proposition came from the Pope's own advisers, who thought it best to leave the Portuguese a convenient and suitable margin of space in the ocean to the west of their possessions. In his translation of the passage in the Bull making this provision: "Quae linea distet a qualibet insularum, quae vulgariter nuncupantur de los Azores y Cabo Verde," Mr. Harrisse is certainly in error. He renders the last words "the Azores and Cape Verde," and remarks upon the difference in latitude and longitude between that cape and the Azores Islands. The correct translation is "the islands called in the vernacular the Azores and Cape Verde [Islands]." The use of the Spanish connective "y" shows that to justify Mr. Harrisse's rendering the text would have to read "de los Azores et a Cabo Verde." I am unable also to assent to the proposition that Alexander's Bull of Extension, September 25, 1493, superseded the Demarcation Bull. It did so only on the supposition that the Demarcation Bull was originally intended by the Pope to be extended round the globe. Of this there is no indication. The existence of the Antipodes is ignored in the Bull of May 4. What the Bull of September 25 did was to substitute for a possible extension of the line to the Antipodes the

principle of the priority of discovery. Of course this might, in effect, have deprived the Portuguese of any advantages from the Demarcation Bull if a Spanish explorer could have done immediately what was accomplished by Magellan's expedition. But that possibility was hardly contemplated. The Bull of September 25 reads as if it were intended merely to supplement that of May 4, not to abrogate it. Mr. Harrisse feels that there is some ground for suspecting the authenticity of this Bull of Extension, but, on the whole, he is inclined to accept it as genuine. That it was not invoked to defend the Spanish claims to the Moluccas is, perhaps, slightly unfavorable to its authenticity, but when that question arose everybody seemed to take for granted the extension of the Tordesillas line to the other side of the world.

Those who are interested in the theoretical question as to where the Demarcation Line should have been drawn,—a problem quite beyond sixteenth-century science,—will find in the notes very careful calculations of the various questions according to methods devised by the author's friend, M. Bauvieux. Besides these mathematical discussions, the notes contain that wealth of bibliographical references which makes every student of Mr. Harrisse's books his grateful debtor. Many readers will be glad too for the apparently complete list of Mr. Harrisse's writings on the period of the discoveries.

EDWARD G. BOURNE.

L'Économie Sociale de la France sous Henri IV., 1589–1610. By GUSTAVE FAGNIEZ. (Paris: Hachette et Cie. 1897. Pp. 428.)

THIS is a history "with a purpose." The professed object of the writer is to show "in what manner a people is able to lift itself up from decadence, in what measure its own forces are sufficient for that purpose, and how far it has need for those of its government." Such an ulterior purpose might seem to leave but little room to expect a work of true historical investigation. Yet Mr. Fagniez has written a book which is scholarly, learned and unprejudiced to an unusual degree. The resolution of the paradox is to be found in the fact that he has chosen for his study a period in which the restoration of order after anarchy and the intelligent efforts of an active and benevolent king combined to bring a country from a condition of almost complete despair to a comparatively high state of prosperity. In writing of the economic history of the period of Henry IV. of France, the historian may very well give a plain and moderate account of the efforts made for settlement and improvement, and at the same time be preaching a vigorous sermon on the advantages of a benevolent despotism.

The book consists of four chapters, on rural economy, manufactures, and external and internal commerce, respectively. The starting-point in each of these fields is the same, the chaos resulting from the civil wars. If it is in the rural districts it is the persistent brigandage of the nobles, but half converted from their accustomed guerrilla warfare, and of bands of

soldiery whose support is not yet provided for under conditions of peace; or, it is the cutting down of the forests, or the disproportionately small number of farm cattle due to the ravaging of the war, or the crushing taxation. If it is in the towns, it is the ruin left by successive sackings, the emigration of ruined artisans and the immigration of homeless peasants. If it is in the field of commerce, it is the same story; roads overgrown and washed out and without bridges; rivers whose navigation is obstructed almost equally by bars and shallows and by unauthorized dams and seigneurial tolls. The furrows of the war had been ploughed deep across every part of the field of French prosperity, and it was this condition of disintegration which gave all its conditions to the king's policy.

Alongside of these ravages of the war, it was, of course, necessary to describe the more normal elements in the social conditions and economic activity of France at the close of the sixteenth century; the classes of the people, their legal and economic relations, some of the more influential institutions, and the prevailing occupations which gave support to the people and the government. These conditions, normal and abnormal, being given, the main task is to trace the work of the government in modifying them.

Much of the influence of government on social conditions was exerted indirectly through its efforts for the restoration of order. Every field of industry responded to the profound peace which France now enjoyed. Abuses which had grown up during the confusion of civil war might linger on, and act as an obstruction to the prosperity of certain localities or certain occupations, but after all society would conform itself to them; they would become relatively less important; and as a matter of fact were little by little absolutely removed by the efforts of government. A good instance of this process is to be found in the policy of the government in regard to the carrying of fire-arms. As a part of the abolition of unauthorized warfare this was prohibited entirely to all persons in 1598. But this action interfered with the hunting rights of the nobility; it was modified by the liberal issue of dispensations, and in 1601 permission was given to landowners to carry fire-arms for hunting on their own estates. Old habits, however, were too strong, and gentlemen took advantage of this new permission to settle personal and party quarrels violently and thus disturb the general security and order. Therefore in 1603 the use of fire-arms was again altogether forbidden. But by the next year habits of peace were presumed to be so far restored that the old liberty of using guns in private hunting was granted, and apparently without any subsequent ill-effects; though the retention by the government of the monopoly of the manufacture and sale of all warlike weapons and of powder probably did its part to prevent outbreaks on a large scale.

But the greater part of M. Fagniez's work is devoted to a study of the more direct efforts of Henry to bring about greater prosperity by the creation of new industries or new conditions for the working of the old industries. The number of objects for which such efforts were made is remarkable. They are in every field. In law they range from the con-

ferring of commercial capacity on minors engaged in trade to the creation of "consular jurisdictions" for the settlement of disputes between merchants on commercial questions. Early in his reign he granted concessions and made regulations for the drainage of marshes and swamps throughout the kingdom; this remained a subject of constant effort, and his plans were just being crowned with some degree of success at the time of his death. He devoted years of interest und effort to the introduction of the silk-worm, the productlon of silk thread and of silk fabrics. He spent the value of many millions of francs on the repair of roads, bridges and canals, and induced local authorities to expend perhaps as much more. He patronized a great commercial expedition formed in 1604 to trade with the East Indies, besides many other schemes of trading and colonial expansion. He negotiated with all other European rulers, from James I. of England to the Barbary pirates, in favor of trade. Scores of projects for agricultural, industrial, commercial, or legal novelties were presented to him or initiated by him. In fact, no scheme that promised any kind of economic development, no proposition for a modification of the law that would facilitate trade, give security to finance, or freedom to men's economic activity, failed to obtain from Henry interest or consideration, and in many cases support. "Reduction of the *taille*, remission of arrears of taxes, liberty of local export of grain, exemption of the farm live stock and agricultural implements from seizure for taxes, opportunity for the parishes to regain their common lands, establishment of relays where farmers should be able to obtain horses, drainage of the marshes, reform of the administration of the forests—this is what agriculture owed to him." And there is some such account for each of the other great industrial fields.

Many of these plans were fruitless. The long-continued and expensive effort to introduce the culture of the silk-worm, for instance, seems to have been practically without result. The same is true of many of the projects for new manufactures. Again much of his policy was vacillating, as, for instance, his treatment of the trade corporations and gilds. And again some of it, especially in financial lines, was distinctly reactionary. Yet, as M. Fagniez says, one must nevertheless admire "his openness of mind, his ready comprehension of new matters, his confidence in the success of new enterprises, his perseverance in sustaining them, his attention to economy combined with the taste for grandeur, his application to the development of all the resources of his kingdom, which has been well compared to that of a proprietor in increasing the value of his estate." And coming back to the main thesis of his book the author closes by saying: "The economic renascence of which the last years of the reign were a witness, France owed, no doubt, largely to herself, but she owed them still more to her government. Such a study as we have made does not, therefore, give support to the doctrine of fatalism, which now finds so much favor, nor to the scarcely less popular teaching that governments have but little influence and therefore but little importance. It teaches us, on the contrary, for our

consolation and our hope, that a people, through the force of its energy, may climb again the slope of decadence; and that nothing can aid it more than an authority which is strong and respected, passionately devoted to the public interest, imposing respect upon individual interests, opening new avenues for national activity, stimulating its hesitations, and sustaining its weaknesses."

It remains to say that Sully drops into an unwonted unimportance in this study; that the author shows manufactures and commerce, as compared with agriculture, to have obtained a much greater attention than is generally taught; and, finally, that the position of France in Europe is stated with a modesty quite unusual for a French author. The book has a good analytical index. In fact, our principal criticism, and that is perhaps a somewhat impertinent one, is that the size of the book, its weight, its broad margins, and luxuriousness of paper and print seem somewhat disproportioned to the plain subject and style of the work.

EDWARD P. CHEYNEY.

Beiträge zur Geschichte der politischen Ideen und der Regierungspraxis. Von GOTTFRIED KOCH. I. Absolutismus und Parlamentarismus; II. Democratie und Constitution. (Berlin: R. Gärtner. 1892, 1896. Two vols., pp. viii, 184; viii, 242.)

THE work before us, so far as yet published, deals only with England and France and covers the period between the reign of Louis XIV. and the beginning of the French Revolution. The book is a history not only of political ideas but also of political institutions, including under the latter term administrative machinery and practice. The author's plan includes not only political theories, but also the political facts of which they are the reflection or against which they are a protest. The first two chapters, dealing with the period of Louis XIV., may serve as a sample of the author's method. The first chapter, thirteen pages in length, is an examination of the theory of the absolute monarchy as it is laid down in contemporary writers, foremost among them Bossuet. Then follows a chapter forty pages long, entitled "Art der Regierung Louis XIV." The topics treated of in this chapter embrace the central government, including the several councils of the crown, the organization of provinces, districts and municipalities, judicial administration, police and taxation. Among the topics named some are treated in considerable detail. Under the head of justice, for example, not only are the parliaments described, but an account is also given of courts of inferior jurisdiction. It is evident that the treatment of these topics within such narrow compass must necessarily be very brief, so much so indeed as sometimes to raise the question whether there ought not to be either more or nothing. It is to be said, however, on the other hand that the information is accurate and that its presentation in this form will be a great convenience, especially to those who are limited either in time or in sources of information. Indeed the author has read widely and to the point, so that his pages often contain information which otherwise it would not be easy to find.

Keeping in mind the subordinate title of Part I., *Absolutismus und Parlamentarismus*, we understand why the author, after having dealt with absolute monarchy in France, turns to England to study the beginnings of parliamentary government. To this subject two chapters are devoted, one giving an account of the struggle between the Stuart kings and Parliament, the other dealing with the same struggle in the realm of political theory. From England the author again turns to France to make in the two following chapters a study of the incipient reaction against absolute monarchy as seen in the writers of the period and in the political struggles of the Regency. Characteristic is the detailed account of the struggle between the Regent and the Parliament of Paris and of Law's financial scheme. The remaining four chapters of the first part deal with England under Walpole and France under Fleury, an extended account being given of the political philosophy of Bolingbroke and of Montesquieu.

The first three chapters of the second part deal with France under Louis XV., the first describing the struggles between him and the parliaments, the second expounding the constitution of France according to the view of the parliaments, and the third treating of Rousseau as the founder of democracy. It will be seen that the author is true to his method of studying political ideas in connection with the soil in which they germinate. The five following chapters are given to England and its American colonies, the study of the democratic transformation which English institutions had undergone in the new world preparing the way for the three closing chapters dealing with France under Louis XVI., political ideas in France before the Revolution and the Constitution of 1791. A third part, now in preparation, is to trace the constitutional development of England and France down to 1848, while in a fourth part the author proposes to deal with Germany as he has already dealt with England and France, and to bring the constitutional development of the three countries down to the present day.

The book before us has sterling merit. It is painstaking and thorough, and its pages are packed with information. The method of studying political theories together with the political situation in which they are developed and the political facts for which they stand is attractive. The plan makes it necessary that a large number of subjects should be treated in brief space, but subject to this limitation the author has given us a useful book.

RICHARD HUDSON.

Histoire Générale du IV^e^ Siècle à nos Jours. Publiée sous la direction de MM. ERNEST LAVISSE et ALFRED RAMBAUD. Tome VIII. La Révolution Française (1789–1799). (Paris: Armand Colin et Cie. 1896. Pp. 992.)

Études et Leçons sur la Révolution Française. Par F. A. AULARD. Seconde Série. (Paris: Félix Alcan. 1898. Pp. 308.)

M. F. A. AULARD is incontestably the greatest living authority upon the history of the French Revolution. He has done more than any

other scholar to treat the period from a strictly scientific and historic point of view, and he may be regarded as typical of the group of students, who are now laboring to discover the true sequence of facts during the most dramatic period of French history. For three generations the French Revolution has served as the chief issue in French politics. Its history has been written with the purpose in view of accrediting or condemning French political parties and the ascertaining of the truth has been regarded as of comparatively little importance. The Revolution to Frenchmen and, indeed, to all Europeans, is the starting point for the discussion of modern politics, and it is not until quite recently that the touchstones of modern historical science have been tried for the purpose of acquiring a knowledge of its events as they really happened. Now old legends are being cleared away and the history of the French Revolution is being examined as critically and as impartially as the history of the Middle Ages. M. Aulard is the recognized chief of this movement. Although frankly an admirer of the Revolution, regarding it as the period in which all that is noblest in modern France has its rise, he is yet a real scholar and does not allow his enthusiasm to warp the candor of his mind. As Professor of the History of the French Revolution at the Sorbonne, as secretary of the Société de la Révolution Française and editor of its monthly review and other publications, M. Aulard has done yeoman service in bringing into existence a sane, historical standpoint for the study of revolutionary history. He has not undertaken, like the rhapsodists of the last generation, like Carlyle and Michelet, to write a long and elaborate history of the period, but has deliberately preferred to confine himself mainly to the editing of documents of prime importance. It is not too much to say that M. Aulard by his editions of the Register of the Committee of Public Safety and of the Proceedings of the Jacobin Club has for the first time made it possible for students to understand the nature and events of the Reign of Terror and the history of the famous club which did so much to mould public opinion in revolutionary France. He has been too much occupied with teaching, reviewing, and editing to undertake the writing of a secondary history on a large scale, though his monographs on the Orators of the Revolution and on the Worship of Reason clearly prove his ability to accomplish that much needed work, the writing of a real history of the French Revolution based on facts and not on fancies.

The nearest thing to a consecutive history of the French Revolution that M. Aulard has permitted himself is the contribution of four chapters on the Constituent Assembly, the Legislative Assembly, the internal history of the National Convention and the internal history of the Directory, to the great *Histoire Générale* of MM. Lavisse and Rambaud, now in course of publication. It is not too much to say that these four chapters form the best brief account of the French Revolution, based on modern authorities, and treated with critical skill by a master of his subject, in the French language. M. Edme Champion, who contributed the first chapter of the Revolutionary volume of the *Histoire Générale*, a chapter

on the cahiers, has worked up his researches for this chapter into a volume, and it is to be hoped that M. Aulard, now that he has his skeleton in print, may follow the example of his colleague. The words just used are those of high praise and may seem exaggerated, but the fact remains that the labors of M. Aulard himself have made so thoroughly out of date all previous volumes upon the Revolution that such a book as he alone can write is urgently called for. It is especially fortunate that the scheme of the *Histoire Générale* provides for the appending of lists of primary authorities and important secondary works to each chapter, so that M. Aulard's great bibliographical knowledge of his subject has been used to advantage.

To the historical scholar, M. Aulard's chapters form the chief attraction of the volume of the *Histoire Générale* that contains them, but it would be unfair not to say a few words about the work of other contributors. M. Vast, following the authoritative work of M. Albert Sorel, has written an able chapter on the war between France and Europe from 1792 to 1795, and in collaboration with M. Rambaud, the same author has treated the wars of the Directory. Chapters of varying value are contributed by different less-known authorities on the legislative work of the Revolution, on the Church, on education, on literature, on art, and on political economy in France during the period. The Revolution is so distinctly the central feature of the decade, that the history of other countries takes a smaller place than in the previous volumes of the great history, but special reference should be made to M. Rambaud's excellent chapter on Eastern Europe to 1796, and to M. Pingaud's brief chapter on Italy and M. de Crue's still briefer chapter on Switzerland. The chapter on England is, as in the previous volumes, quite inadequate, as can be seen by a glance at the very poor bibliography of works consulted appended to it. M. Moireau is a little more thorough in his chapter on America from 1781 to 1799, in which he devotes forty-five pages to the formation of the Federal government and its early policy.

So much has been said of the excellence of M. Aulard's work in the *Histoire Générale* that it is perhaps appropriate here to draw attention to the second series of *Études et Leçons sur la Révolution Française* which he has just published. This little volume contains seven articles which have appeared in various periodicals and a lecture upon Auguste Comte and the French Revolution. The lecture is particularly interesting; it is a refutation of the ridiculous theory of Comte that there were during the Revolution three distinct schools of disciples of Voltaire, of Diderot and of Rousseau. This was one of the pet theories of the Positivist teacher, who loved to twist history to suit his imagination, and it is to be feared that its influence has extended outside of Positivist circles and has given a false color to the distinction between the politicians of the Revolutionary period. It may be admitted that Robespierre was a fervent disciple of Rousseau, but the attempt of Comte to glorify Danton by making him an obedient echo of the supposed political theories of Diderot instead of considering him as a great patriotic opportunist, is demonstrably false.

Of the reprinted articles, the most noteworthy for the historian are M. Aulard's skillful studies of the causes and the sequel of the *coup d'état* of 18 Brumaire. It was hardly necessary for him to reprint his article on the authenticity of the so-called Memoirs of Talleyrand, for all scholars are aware, thanks to him and M. Flammermont, of the exact amount of credit they deserve.

H. Morse Stephens.

Mémoires et Notes de Choudieu (1761–1838). Publiés d'après les papiers de l'auteur avec une préface et des remarques par Victor Barrucand. (Paris: E. Plon, Nourrit et Cie. 1897. Pp. xv, 484.)

M. Victor Barrucand has done good service to students of the history of the French Revolution in publishing the memoirs of Choudieu. The existence of Choudieu's papers in the public library of Angers has long been known; a selection from them was published in the *Revue de la Révolution* some years ago; and their present editor made considerable use of them in his valuable book on Rossignol. It is, however, a great advantage to have collected together in a handy volume everything from Choudieu's pen of real historical value. M. Barrucand explains in his preface that the papers which he has worked up are rather notes for an autobiography with scattered criticisms on other works than memoirs in the true sense of the word. Undoubtedly Choudieu at one time intended to write a complete autobiography, but the work was never finished, and the notes and papers now published are rather materials for memoirs than a consecutive account of the events in which Choudieu played a part.

Pierre Choudieu is one of the striking figures in the Reign of Terror. He was never a great political leader or an important statesman, but he was one of the valiant deputies to the National Convention sent forth, in the days of the greatest peril to France, to organize the armies of the Republic and to lead them to victory. Born at Angers, of a legal family, in 1761, Choudieu was educated at the military school at Metz, and became an officer in the artillery. He was speedily disgusted by the contempt shown in the army to those officers who were not of noble birth, and, abandoning the military profession, he entered the magistracy of his native city, and became one of the King's advocates there. The early years of the Revolution found him an enthusiastic adherent of the new ideas, and in 1791 he was elected by the department of the Maine-et-Loire to the Legislative Assembly. As a deputy, he associated with the party of the extreme Left, and won for himself some little reputation, especially as a member of the Military Committee. The earliest notes published by M. Barrucand have reference to the opening of Choudieu's career. His account of the revolutionary influences in Angers and of his military and legal experiences is interesting, but his notes upon the

Legislative Assembly are of greater value. His remarks, for instance, on the events of June 20 and of August 10, 1792, and on the massacres of September in the prisons of Paris, are of real importance. It is true that they were written in extreme old age and often take the shape of criticisms upon works upon the Revolution written under the Restoration, but they must be consulted by future historians and cannot safely be neglected in examining the events to which they relate. In 1792 Choudieu was elected to the National Convention, and about eighty pages of his notes are devoted to a somewhat fragmentary examination of the issues that arose between the Girondins and the Mountain during the early months of the Republic, and to anecdotes about the King's trial. In March, 1793, Choudieu was sent as a Deputy on Mission to the western departments, where the insurrection in La Vendée rapidly developed, and until the end of the Terror he remained on mission, first taking part in the operations for the conquest of the Vendeans, and later accompanying the triumphant advance of the Army of the North into Belgium in the summer of 1794. Choudieu not only directed the movements of generals and carried on a voluminous correspondence with the Committee of Public Safety, but also served in the field and was twice wounded in battles with the Vendean insurgents. As has already been said, Choudieu's fame rests upon his conduct during this period. He was the chief of the so-called "Court of Saumur," and his methods and those of his colleagues for the subjugation of the Vendean insurrection were vigorously attacked at the time and have been severely criticised by historians. This is not the place to examine the controversy between Philippeaux and Choudieu. It is enough to say that there is much to be said on both sides, and that sympathy for the death of Philippeaux upon the guillotine ought not to prevent justice from being done to the point of view of his chief opponent. The position of Choudieu is well known from the elaborate report which he drew up with his colleague, Richard, at the time, but a good deal of matter of great supplementary interest, amounting to about one hundred pages, is now printed by M. Barrucand from Choudieu's rather fragmentary notes. He seems to have preserved nothing with regard to his later mission with the conquering army in Belgium, and the latter part of his memoirs is filled with an account of the Thermidorian reaction, of which he was himself one of the victims. On 12 Germinal Year III. (April 1, 1795) he was ordered under arrest and was not released until the general amnesty which was declared at the time of the dissolution of the Convention. The later life of Choudieu was uneventful. He was for a short time employed in the War Department during the Directory, but as a sturdy Republican was regarded with disfavor by Napoleon, and spent the years of the Consulate and the Empire as an exile in Holland. In 1814 he returned to France, and in the following year had a moment of importance in endeavoring to rouse France against the Allies after the return of Napoleon from Elba. This conduct led to further exile, and from 1815 to 1830 he lived in poverty at Brussels with other proscribed regicides. The Revolution of 1830

opened the way for the return of the old Republican, who died in Paris in 1838. Of the long years of exile, Choudieu's notes tell next to nothing. Though he lived to be 77 years old, his political career closed with his arrest in 1795. Brief as that career was, the name of Choudieu lives as that of one of the most vigorous of the saviours of France during the time of national enthusiasm, which is designated the Reign of Terror, and M. Barrucand deserves hearty thanks for making his notes and memoirs generally accessible.

H. Morse Stephens.

Mémoires du Comte Ferrand. Publiés pour la Société d'Histoire Contemporaine par le Vicomte de Broc. (Paris: Alphonse Picard et Fils. 1897. Pp. xvi, 313.)

The Société d'Histoire Contemporaine has, since its foundation in 1892, published many most interesting volumes, some of memoirs, others of hitherto unedited documents, and others of letters. Its editors have invariably been scholars of modern training, who have dealt with their materials with reverent care and have not allowed their political prejudices to interfere with their scientific honesty. Among these editors may be noted such distinguished students of Revolutionary history as MM. de la Rocheterie, Léonce Pingaud, Victor Pierre and the Marquis de Beaucourt, and to them has now been added, for the first time, the Vicomte de Broc, who has already made his reputation by his work on France under the *ancien régime*. All these editors belong to what may be called the royalist and ecclesiastical party in the study of the history of the French Revolution. Up to the death of the Comte de Chambord this party was represented by the *Revue de la Révolution*, which was devoted to the publication of articles and documents bearing adversely upon the men and events of the Revolution. When the *Revue* unfortunately came to an end the Société de l'Histoire Contemporaine was founded. The society has the advantage of being able to draw upon the family archives of distinguished conservative actors during the Revolution, and it has thus been able to illustrate many sides of the Revolution that are apt to be neglected by its admirers. It must be admitted to the credit of the editors who have been mentioned that they never allow their prejudices to mutilate their documents, although they express their opinions freely in their introductions. The last volume published by the society contains the memoirs of Comte Ferrand. It is hardly so interesting as some of its predecessors. Ferrand was born in 1751 of a parliamentary family, and, at the age of eighteen, became one of the judges of the Parlement of Paris. His memoirs give a brief but vivid account of the parliamentary troubles which preceded the convocation of the States-General in 1789. Ferrand was a vehement royalist, and left France with the first emigration in September, 1789, to become the political adviser of the Prince de Condé. He spent about ten years in exile, taking an active part in the politics of the émigrés, and writing various

royalist pamphlets and popular works on history. During the Consulate and the Empire Ferrand lived in absolute retirement in France, but the Restoration drew him from his obscurity, and he was in 1814 created a count, made a member of the Académie Française, and appointed director of the French post-office. The greater part of his memoirs deals with the early governments of Louis XVIII., and throws considerable light upon the internal history of this period. His account of the drawing up of the Charter of 1814 is of prime authority, and his chapter on the difficulties which beset Louis XVIII. during the first days of the Restoration is brief but important. He was acting Minister of the Marine when Napoleon left Elba, and his narrative of the Hundred Days throws a new light upon that period. From 1815 to 1823 Ferrand was in a position which enabled him to follow the work of the administration, and nothing of more primary importance for this period has been published within recent years. It only remains to be said that the Vicomte de Broc has done his work admirably and that he has appended the valuable little biographical foot-notes which are always to be found in modern editions of French historical memoirs with profusion and accuracy.

H. Morse Stephens.

The Campaign of Marengo, with Comments. By Herbert H. Sargent, First Lieutenant and Quartermaster, Second Cavalry, United States Army. (Chicago: A. C. McClurg and Co. 1897. Pp. 240.)

In 1800 Napoleon was thirty, within two years as old as Alexander at his death. He had won his rank as a strategist and tactician in 1796; he had deservedly made himself First Consul. Mainly by his efforts civil war had been suppressed; France had been saved from financial ruin; the morale of the nation and the army had been restored. Napoleon had deserved well in that he had not despaired of the republic.

Peace was desired; but events were set for war. England commanded the sea, but remained inactive. Austria held all northern Italy with 120,000 men under brave but aged Melas, confronted in the Genoa region by tenacious Masséna with one-third the force; while on either side of the Rhine stood Kray and Moreau, each with an army of about 125,000 men.

Napoleon, in supreme command, was secretly raising an Army of Reserve. Assembled near Geneva, it could succor either Masséna or Moreau. Austria was attacking on two lines separated by the Alps, while France might debouch from central Switzerland against either of her armies. The best Austrian soldier, the Archduke Charles, had been shelved, and the Aulic Council assiduously kept both Kray and Melas misinformed. The Army of Reserve was assembled without their knowledge. Kray and Melas believed that every French soldier stood in their front. From Paris Napoleon watched each move, understood the meaning of every

situation. No man has comprehended the great game of war in the same broad and yet detailed sense. Lesser lights have since jeered at Napoleon's pincushion maps, and at Jomini's diagrams; but the man who, for his own instruction or another's, can so give a clear object lesson, proves that he has mastered his subject. The captain must think clearly before he can act clearly.

Masséna's duty in the general scheme was to occupy the attention of Melas; and he was abreast of the task. Though literally starved out of Genoa, he contained his thrice greater opponent until Napoleon could descend upon his rear. Though able, Moreau lacked his chief's audacity, and rejected Napoleon's bold manœuvre, by which he might turn Kray out of his position and compromise his army. But rank and file confided in Moreau; Napoleon needed the man, and he was permitted to play his own game. This he did respectably, not brilliantly. He might have destroyed Kray; he did actually defeat him.

Meanwhile Napoleon assembled his Army of Reserve, 55,000 strong, and crossed the Alps. This march he and his adulators have been fond of likening to Hannibal's daring feat. It was in no sense comparable to that wonderful performance, nor indeed to the march of Alexander across the Hindu Kush. But it was splendid in execution as in conception, utterly unexpected by the enemy, and successful. By the 25th of May, despite the almost fatal check at Bard, his five corps had descended into the valley of the Po. He was within reach of the communications of Melas; his own were secure.

The pass of Stradella, where the Apennines meet the Po, has always played its part, as all great topographical features must, in the campaigns of northern Italy. Hannibal calculated on it; Prince Eugene won Turin because of it; Napoleon saw that it was the gate through which Melas must retreat. Hastening to Milan, after a diversion leading Melas to believe he was aiming at Turin, Napoleon was compelled to await his reinforcements; but he reached Stradella and camped there on the 6th of June, astride the line of retreat of Melas, who had just awakened to the meaning of the problem. Melas had not drawn diagrams, mentally or otherwise.

The strategy of the campaign of Marengo was magnificent; that leading up to the battle and the tactics of the battle itself were full of audacity, but lacking in discretion. Purposing a battle near Stradella, Napoleon failed to concentrate all his forces there, lest Melas should escape by the north of the Po; he advanced to Marengo without sufficiently reconnoitring, detached Dessaix, and was outnumbered and surprised on the battle-field. Had not Melas's personal exhaustion prevented continuance of the handsome effort which defeated the French in the forenoon; had not Dessaix marched back to the sound of the guns; had not Napoleon been fortunate in his lieutenants—had he indeed not been Napoleon—Marengo would have been a lost battle. His manœuvre was perfect up to Stradella; he then gambled on the chances; and any one but Napoleon would have miscarried.

All this is told by Lieutenant Sargent in an interesting and especially perspicuous manner. What may be called the modern military criticism, *i. e.*, that which the reader may compare to modern examples, often within his own experience, dates only from the present generation. Jomini, though we all go back to him with a keener sense of enlightenment, appeals rather to the soldier than to the civilian; but out of the modern critic's book any intelligent reader may, without effort, grasp the salient points of a military situation. Turgid criticism preceding Lloyd arose from turgid ideas. Lloyd was the first to see and tell why Frederick accomplished his astounding results. Jomini's diagrams first enunciated what Napoleon had evolved from the deeds of his predecessors —the modern art of war. Since Jomini, military criticism has grown to appeal more directly to the civilian. Just as nowadays a layman may better understand the law applicable to his own peculiar case than in the days of Coke, so may he better comprehend the underlying motives of this or that manœuvre on a strategic or tactical field, than a century ago.

Lieutenant Sargent is one of the most interesting of our modern military critics; and, recognizing that no single chapter can do a campaign justice, he is happy in choosing to devote each of his volumes to a single campaign.

Marengo has been so fully discussed heretofore that it is no detraction from this work to say that there is perhaps small room for novel ideas upon the subject; but the author's presentation of the events which led up to the battle and of the battle itself shows a good sense of proportion, keen appreciation of the value of facts, and an agreeable, easy style. Future volumes will be warmly welcomed.

THEODORE AYRAULT DODGE.

The Life of Francis Place; 1771–1854. By GRAHAM WALLAS, M.A. (New York, London and Bombay: Longmans, Green and Co. 1898. Pp. x, 415.)

THE special value of Mr. Wallas's *Life of Francis Place* is at once obvious to students of English constitutional and party history of the period between the French Revolution and the abolition of the Corn Laws. Biographies and volumes of memoirs and letters coming within these sixty years have been published in large numbers during the last twenty-five years. First-hand material of this kind has been constantly growing in volume; but up to the present time there has been no authoritative book covering that part of the movement for constitutional reform with which Francis Place was so conspicuously identified. Place was never of the House of Commons. Although he began life as a working tailor, quite early in his career he had a shop of his own, and was exceedingly prosperous. In the days of the unreformed Parliament, it would have been easy for a man of his wealth to have bought a seat in the House of Commons, as was done by Hume, Ricardo, Romilly and other men who were on the popular side in the Reform movement. Place never availed himself of this opportunity; yet no man, in or out of Parliament,

was more actively concerned in politics than he. His life was largely given up to politics. It was exclusively so from about his forty-sixth year. He was associated with the movement for the repeal of the Combination Laws; from 1807 to 1832 with the movement for the first Reform Bill; later on with the movements for poor-law reform and municipal reform; with the Chartist agitation; with the movement for the repeal of the taxes on newspapers; and finally with the agitation for the repeal of the Corn Laws.

In all these movements, Place was active as an organizer; often as a lobbyist; and continuously as an advocate of reform in any newspaper whose editor would print his letters. New light is thrown by Mr. Wallas's book on the agitation for the repeal of the Combination Laws, and also on the beginnings of the system of elementary education in England; for among his numerous activities, Place took a foremost part in the establishment of the British and Foreign Schools Society, an institution which still exists, and which between 1808 and the Forster Education Act of 1870 did so much good work in promoting unsectarian elementary education. But more than all, Mr. Wallas's book is valuable for that part of it that covers the closing days of the long movement for the first Parliamentary Reform Act. It would have been welcome to students if only for these two chapters. For some years past, there has been no lack of information concerning the ministerial and Parliamentary aspects of the closing year of an agitation for Reform which can be traced back to the time of the Tudors—concerning the fortunes of the struggle, after the first Reform Bill had been introduced by Lord John Russell, had passed the House of Commons, and had been rejected by the House of Lords. The Whig and official side can be traced in detail in Le Marchant's *Life of Althorp*; in Walpole's *Life of Lord John Russell*; in Brougham's *Correspondence*; and from day to day, almost from hour to hour, in Earl Grey's *Correspondence with Princess Lieven*. The Tory side is to be found in Jennings's *Memoirs and Correspondence of Croker*, and in the *Wellington Civil Correspondence*. The part played by William IV. can be followed in his *Letters to Earl Grey*. The demagogic side of the struggle from the beginning of the century is told in Huish's *Life of Hunt* and in the *Memoirs of Cartwright*. But hitherto there has been a lack of first-hand information as to what was doing in the constituencies, especially as to what was doing in London, during the period of tension and crisis which intervened from the 1st of March, 1831, when Lord John Russell introduced his bill, until the second Reform bill was accepted by the House of Lords on June 4, 1832.

The *Life of Place* fills this gap, and forms as important a contribution to the literature of the great constitutional crisis as Grey's *Letters to Princess Lieven*, or the *Letters of William IV. to Grey*. It is not possible here to recall, however briefly, the events of that critical period. But it may be stated that Place's story of them brings out two important facts, more or less new. It shows in the first place how greatly and how pleasantly the extent of the reform proposed in Lord John Russell's bill sur-

prised Place, and the cooler heads among the reformers out of Parliament—how greatly it surprised those who, while actively and energetically on the popular side, had no sympathy with Hunt, and with the reception which Hunt gave to the bill in the House of Commons. Place obtained his first news of the bill from a reporter of the *Morning Chronicle*. "It was so very much beyond anything that I had expected," he wrote, "that had it been told me by a person unused to proceedings in the House, I should have supposed that he had made a mistake." In the second place, the narrative quoted by Mr. Wallas from Place's papers show how perilously near to revolution England came, after Earl Grey had resigned. Place's story leaves the impression that had the Duke of Wellington taken office, there must inevitably have been collisions between the troops and the people.

From a student's point of view, Mr. Wallas has handled admirably the enormous mass of material at his disposal. Wherever possible he has allowed Place to tell his own story, and very largely he leaves it to the reader to form his own estimate of Place, and the singularly important, though unobtrusive part Place played in the history of English politics in the first half of the nineteenth century.

EDWARD PORRITT.

Kaiser Wilhelm I. Von ERICH MARCKS. (Leipzig: Duncker und Humblot. 1897. Pp. xiii, 370.)

IF a historical biography is to be anything more than a mechanical mixture of biography and history, the biographer must of course establish the causal nexus between his hero and the times in which the hero figured. Marcks attacks this problem upon both its sides: he considers not only the influence which William exercised upon his times, but also the influence which the times exercised upon William. In studying his hero's character he not only utilizes the direct testimony of those who knew the prince, the king, the emperor; he also considers the formative forces of heredity, tradition and environment, and endeavors to trace the modifying influences exercised by persons and by events. In his attempt to determine William's share in events, he is not content to say that the king rendered such a decision or gave such a command; he tries to show who or what made the king act in that particular way. At every critical juncture he endeavors to get inside of William's mind and find out what was going on there. Where the evidence is inconclusive and where there is no evidence, he falls back upon inferences from character. The historical and the biographical elements in the book are thus connected by a double bond: history is employed to account for William's character and explain its development, and the biographic result—the complete picture of William's views, sentiments and aspirations—is used to throw new light upon the history of his reign.

In its central purpose the book is a study in psychology, and to this purpose the history of the times and the story of the visible life are both sub-

ordinated. Allusion to well-known events frequently takes the place of narration; facts are set forth in detail only where the writer seeks to place upon them a new interpretation. The book differs from the ordinary biography very much as the novels of James and of Bourget differ from the novel of action; and, like these, it gives something of the impression of a new *genre*.

Written originally for the voluminous *Allgemeine Deutsche Biographie*, Marcks's sketch was of course intended for what the Germans call "the cultured public." From the majority of the German popular works that deal with the founders of the new empire it differs, however, not only in method but in spirit. It is remarkably fair and frank. Marcks is a monarchist and a nationalist; to his approval of the achievements of William's reign he adds warm admiration for William's character; but he does not hesitate to define to himself and to his readers the grounds and the limits of his admiration. He recognizes the defects as well as the merits of the man; he notes the mistakes as well as the triumphs of the ruler. It is, he declares, "a false piety that desires to conceal . . . the reverse side of brilliant times" (p. 294.)

William's father, Frederick William III., was an honest, well-meaning, conscientious, industrious, dull man, who found it very difficult to make up his mind on any matter of consequence—possibly because he had so little mind to make up. Queen Louise was his superior, both in intellect and in character. From these parents William and his elder brother, afterwards Frederick William IV., derived an unequal inheritance. The crown-prince had all his mother's quickness of intellect and all his father's weakness of will. William had all his father's best qualities, something of his mother's intelligence, and all her strength of purpose.

On these two natures tradition and environment exercised a very different influence. William, Marcks insists, was before all things *altpreussisch*. His faith was naïve, dogmatic Protestantism of the old school. His intellectual point of view was that of the rationalistic eighteenth century. His aspirations were for the aggrandizement of Prussia through successful war. As a boy he witnessed Prussia's deepest abasement; its reorganization by the efforts of Stein, Scharnhorst and their associates; its re-establishment by the War of Liberation. He was too young, as Marcks observes, to understand or be strongly influenced by the social reforms of Stein; the reaction in his mind was rather against French revolutionary tendencies than against the older Prussian institutions.

The forces which worked most strongly upon the mind of the crown-prince were of quite another sort. They were furnished by that great reaction against eighteenth-century rationalism which begot mysticism in religion and clericalism in the churches; which expressed itself in literature as romanticism; and which in the field of politics and law produced the historical school. The older brother, with his more alert and more receptive mind and his weaker character, was swept off his feet by this current of feeling and opinion. His conception of church and state became and remained medieval. On William's "leathery nature"—to quote

his own phrase, used in a different connection (p. 85)—this movement exercised no visible influence.

To all this it should be added that during the father's long reign Prince William's activity was restricted to the army. The crown-prince was educated to be king; William to be a general. In military matters he became an expert. In politics, European, German, and Prussian, his views, at the age of forty-three, were not those of a statesman, but those of a Prussian officer.

In 1840, when his brother became king, William's position was changed. Frederick William IV. was childless, and William was recognized as "Prince of Prussia." He became president of the ministry and of the council of state; he was made governor of Pomerania; and during the king's foreign journeys he was more than once charged with the conduct of the general affairs of the kingdom. After 1850, however, the differences of opinion between the brothers in matters both of foreign and of domestic policy became so marked that William drew back again into purely military life. In matters domestic, William objected to the sacrifice of the powers of the crown. He objected to the tolerably harmless United Diet of 1847; he objected much more strongly to the concessions made in the following year to armed revolutionists. He felt, nevertheless, that the king, having granted a representative constitution, should live up to it, and he held himself wholly aloof from the Tory reaction of 1850–57. It was in German affairs, however, that his opposition to the king and the Tories was most pronounced. The movements of 1848–50 in the direction of German unity under Prussian leadership appealed strongly to his ambition; and the abandonment of the narrower union on the Erfurt plan, the sacrifice of Prussian and German interests in the Hessian and Schleswig-Holstein questions—in one word, Olmütz—drove him into an attitude which to the court, and to wider circles as well, appeared "liberal."

All this goes far to explain why, on becoming regent (1858), William gave the ministry a more liberal complexion. His general course of action, however, during the next two years seems to have been determined not by liberalism, but by the sobering influences of power and of advancing age and by instincts of loyalty and generosity. The soldier longing for battle, the *Altpreusse* bent on the aggrandizement of his state, the hereditary enemy of Austria as the chief opponent of Prussia's greatness—for a time all these disappeared. Bismarck, because of his pronounced antagonism to Austria, was transferred from Frankfort to St. Petersburg—"put on ice," as he himself expressed it, "on the Neva." When the Italian war broke out, William refused to take advantage of Austria's straits. He mobilized the Prussian army in order to come to Austria's aid, and would undoubtedly have fought for her had not Austria refused to trust Prussia with the command of the federal army and patched up a hasty peace with France. During the same year, he urged a reform of the federal army, advocating a plan which would have given Austria the control of all South Germany. It is a singular chapter of Prussian

history, which the reviewer has nowhere seen so frankly written. In December, 1861, William's Liberal premier, Prince Hohenzollern, declared to a friend that he himself was not the man for the place; that what the king needed was "an iron character, who should ruthlessly ignore or hold in check the noble sides of his [the king's] character and aim solely at the good of the state" (p. 185).

In one thing only was William *altpreussisch* during these years: in his determination to reorganize the Prussian army. The effort brought him into conflict with the Prussian Diet, necessitated a change of ministry and, in the autumn of 1862, brought Bismarck into the cabinet as prime minister. In court and official circles Bismarck had long been recognized as "ministerial timber." Sybel[1] tells us that in March, 1858, William had decided to call Bismarck into the ministry, and that this plan was abandoned only because of the sudden death of the proposed prime minister, Alvensleben. Marcks (p. 191) rejects this "tradition." He asserts that even in 1862 the king shrank from Bismarck's appointment. The obstacle, he says, was personal—"*eine ganz ausgeprägte Abneigung des Königs.*" The king's dislike was partly due to Bismarck's extreme frankness and frequent brusqueness of speech: in 1858 Bismarck himself had assured Gerlach that he would not suit the prince, "who must be handled gently." In the king's dislike there was also an element of distrust: Bismarck, to use his own phrase again, had a reputation for "*leichtfertige Gewaltthätigkeit.*" At bottom it was perhaps, as Marcks suggests, the element of genius, "*das Dämonische,*" in Bismarck that repelled "the son of Frederick William III."

Bismarck was called to the premiership because he was quite willing to fight the Diet, and because he convinced the king that the conflict could be maintained on constitutional lines. He was not selected to solve the German question. William himself believed that Prussia would some day unite and rule Germany, but he had no expectation that he would live to see that day. In making Bismarck premier, he certainly had no intention of abandoning the personal direction of Prussia's policy. What happened, however, is fairly indicated by the titles of Marcks's fourth and fifth chapters: in 1862, with the opening of "The Great Decade," "The Years of William's Own Policy" closed. This result was not reached without constant friction and occasional crises. William possessed too strong a character to accept, without resistance, plans that he only partially comprehended and ventures of which he could not see the outcome. He was also, with all his ambition, too conscientious a man to do what he thought wrong. Bismarck, however, had a remarkable power of lucid statement and coercive reasoning; and when persuasion failed he did not hesitate to force the king's hand by the irresistible logic of events. In many cases William doubtless failed to see that the situation which constrained him had been deliberately created. There can be little question that in 1866 he as firmly believed Austria to be the aggressor as he believed France to be the aggressor in 1870. It does not

[1] *Begründung des deutschen Reiches*, II. 293.

escape Marcks that William's reluctances were of real value to Prussia. They minimized the impression of unscrupulousness which Bismarck's policy was too apt to arouse. Benedetti[1] also appreciates this; but his conclusion that William was really as clever as Bismarck, and a hypocrite besides, unduly exalts William's intelligence at the cost of his character.

If in the long run William realized that it was not he but his chancellor who was shaping history, his mind was too just to harbor resentment and his nature too noble for jealousy. In the long run, as Marcks asserts, and as we may well believe, William's confidence and gratitude ripened into sincere affection. After the establishment of the Empire no court intrigues, however strongly supported, were able seriously to shake Bismarck's position. The alliance between the government and the Liberals, which began in 1866 and persisted for a decade, entailed many results which the Emperor did not like; but he accepted them. The treaty of alliance with Austria in 1879 seriously distressed him, because it seemed to destroy all prospects of cordial relations with Russia; but he accepted that, too. This was the last important conflict; during the remaining eight years of William's reign we hear of no more "friction" between the Emperor and his chancellor.

William's relations with Roon and Moltke are discussed with equal acuteness and frankness. In military affairs William was at home. The reorganization of the army, Marcks maintains, was his personal work, rather than Roon's; and if the strategy of 1866 and 1870–71 was Moltke's, William was, nevertheless, really commander-in-chief in both wars. His highest title to fame, however, will always rest on the facts that he knew men as few men know their fellows; that he selected great men for great tasks, with little reference to his own likes or dislikes; and that having found the right men he retained them in the face of opposition in the chambers, in the press, and even in his own household.

Of his book, as a contribution to history, Marcks speaks with great modesty. He has used, he says, only printed material. He has used, however, all that there is—witness his excellent bibliography—and he has used it with great discretion. He has, in many cases, placed upon known facts a new and more reasonable interpretation. His book is one which no student of the period can afford not to read.

MUNROE SMITH.

The Jesuit Relations and Allied Documents. Edited by REUBEN GOLD THWAITES, Secretary of the State Historical Society of Wisconsin. Vols. V.–XV. (Cleveland: The Burrows Brothers Company. 1897, 1898. Pp. 298, 330, 312, 314, 315, 328, 279, 277, 272, 289, 250.)

V. WITH this volume begins the actual settlement of Canada, in other words the first few settlers who came for the purpose of tilling the

[1] "William I. and Prince Bismarck," in *Studies in Diplomacy* (English translation), Macmillan and Co., 1896.

soil arrived during the early summer of 1632. They were married people with children, all from the province of Perche, inured to work in the field, experts at clearing the forest, and each man possessing besides a trade of his own, such as that of carpenter, mason, or harnessmaker. No immigrants of that class had yet been seen on the shores of the St. Lawrence. The little fort at Quebec, in a dilapidated state, was handed over by the English to the agents of the Hundred Partners, July 13, 1632, and the French were again in possession of Canada. Fathers Le Jeune and De Noue had arrived from France eight days before, much exhausted by a voyage of seventy-eight days. "The size of our cabins," says Father Le Jeune, "was such that we could not stand upright, kneel, or sit down; and, what is worse, during the rain, the water fell at times upon my face. Father De Noue's feet and hands were frozen. I had a pain in my head or breast and a keen thirst, because we ate nothing but salted food, and there was no fresh water upon our vessel."

The first sight of the Indians, at Tadoussac, caused him a deep astonishment. He had evidently quite a fanciful idea of them, and probably a poetical one, which soon vanished from his imagination. "It seemed to me that I was looking at those maskers who run about in France in Carnival time." These Tadoussac people had recently gone against the Iroquois and they were in the act of torturing several prisoners of that nation brought back after the raid. This not only roused the feeling of the good missionary but also caused the Frenchmen to fear the vengeance of the Iroquois at some future moment. The father realizes the horror of his situation, and adds calmly: "I am here like the pioneers who go ahead to dig the trenches; after them come brave soldiers, who besiege and take the place." His letter shows his power of observation in all that can be seen of Canada at that time. The Indians, he thinks, should be civilized a little at least before attempting to teach them religious duties; the French themselves might learn how to make a living in this country before trying to dominate it. All the wise things he writes from the first hours of his arrival here are worth reading. There is an excellent portrait of Father Le Jeune prefaced to the volume, and also other illustrations. The notes and explanations are abundant and valuable.

VI. The years 1633–34 present the Indian problem under nearly all its difficult aspects. How to inspire the Montagnais and the Algonquins with a taste for sedentary life, in order to educate them and improve their condition; or if this is found impossible, what can be done to obtain the same results notwithstanding their nomadic habits? Father Le Jeune tried earnestly and cleverly to solve the question. It is plain that he understood it in the main points, and would have come to some practical result—not to say a perfect success—had it not been for the false notions on that subject which prevailed amongst the patrons or benefactors in France, concerned in the missions of Canada. It is true that a long experience in this matter has shown us the impossibility of modifying the roaming Indian, but at the commencement of the colony

Father Le Jeune had no means of comparison and he showed himself more competent than any man of his day to deal in a reasonable way with this insurmountable obstacle. Next he explains his views in regard to the Huron tribes, quite a different sort of savages from those of Tadoussac and Quebec, on account of their commercial organization and their sedentary character. This, of course, induced the above mentioned "patrons" to turn their attention to Upper Canada and to neglect the roving bands of the lower Province, but to no better advantage, for it had the effect to send the missionaries too far away from the base of operations, which was Quebec, and in a few months it brought the fighting Iroquois to the Huron villages. A third consideration was the Iroquois themselves, a powerful foe standing on the westward route, and which could only be subdued by the use of troops; but the Hundred Partners never attended to this part of their duty, and left the Jesuits, in fact the whole colony, without any help against the invaders.

This volume contains a mass of information upon the life and customs of the Indians. It is one of the most remarkable in the series.

VII., VIII., IX. These three volumes comprise the years 1634–36 and deal with Cape Breton, Quebec and the Huron country. They are not all written by Father Le Jeune; sometimes he encloses relations transmitted to him by Perrault, in Cape Breton, or Brebeuf in Upper Canada, which he forwards to Paris as Superior of the missions of New France.

Julien Perrault (1634) describes the situation, climate, resources, and people of the island of Cape Breton. He speaks of Chibou, now called Bras d'Or. In the middle of that great bay, on the left-hand side, as one enters from the sea, was the fort of Sainte Anne, at the entrance of the harbor, opposite a little cove—an excellent port easy to defend against any enemy. There was situated the first mission of the Jesuits in New France, the second mission or residence being located at Miscou. Father Le Jeune explains that as the vessels which go to Cape Breton and to Miscou (Gaspé) do not go up as far as Quebec, "it thus happens that we have no communication with our Fathers who are in the Residences of Sainte-Anne and of Saint Charles of Miskou, except by way of France; hence, neither letters nor other things should be sent to us to hold for them, but they should be given to those vessels which go to these French settlements."

Perrault naturally finds that the Indians of Cape Breton lack in the knowledge of God and of the service that they ought to render to him, as also of the state of the soul after death; nevertheless, he admires the honesty and decency of their conduct: "Everything is free to them in all places, and yet nothing is in danger in their presence, even if they are alone in a cabin and where no one can see them." His conclusion is that these people will be easily Christianized. He, like all the missionaries of his time, entertained a wrong conception of the character and temperament of the aborigines; he also overestimated the aid his own countrymen were disposed to contribute towards the conversion of the

infidels. Yet it cannot be said that he was altogether dreaming, for he must have been aware of the rumor circulating in Paris, Rouen and Dieppe, of the changes intended to be made in the administration of New France at that very moment. The embarrassed financial position of the Hundred Partners, also the persistent decline of health in Champlain, engaged Richelieu to accept the offer of the Knights of Malta, who were willing to assume the direction of New France and work the scheme of establishing colonies in Acadia, in Cape Breton, on the St. Lawrence and the Great Lakes. During the years 1635–36, Châteaufort was sent to Quebec; Montmagny and Delisle arrived there soon after. Razilly went to Acadia, Sillery had a hand in the whole affair, and all these new comers brought with them the hope of an effectual and glorious administration. Before the year 1636 was over, circumstances of a higher order paralyzed the actions of the Knights and everything went back to the *status quo*. The Hundred Partners made a compromise with an association of a few merchants of Dieppe, Rouen and Paris for the trade of Canada, with the hope of seeing the dawn of better days.

During this time Father Le Jeune was studying Quebec and the neighboring districts, writing invaluable letters on the subject and preparing himself for improvements that never came in his days. He describes the language of the Montagnais, which, though deficient in expressions for abstract ideas, he praises for its fullness and richness in vocabulary and grammatical forms. Once master of the idioms, and assisted by the resources of a strong colonial government, he expected to bring the Indian tribes to a reasonable state of civilization, and place them alongside of a prosperous agricultural colony of Frenchmen. He knew well that the trials of the last thirty years amounted to nothing towards the aim, but he was in receipt of letters from France which spoke with such warmth of the future of Canada that he really believed in a full and complete success. In fact things showed a better appearance than in the past, but there was not much behind that. The Hundred Partners never, at any time, meant to colonize Canada or any part thereof. All they cared for was the fur-trade and they did not even know how to conduct it properly in order to make it a paying business. In 1636, as already stated, the company abandoned Canada into the hands of seven or eight associated merchants, under certain conditions which were in hardly any respect fulfilled, so that the colony went from bad to worse. The creation of this private company did not affect the charter still in possession of the Hundred Partners, but as the latter were unacquainted with trade or navigation they simply remained in the shade, and the firm of Rosée, Cheffault, Castillon, Juchereau, Berruyer, Duhamel and Fouquet reigned supreme over the St. Lawrence. The Hundred Partners seemed at first to be willing to send over colonists; they made concessions to Giffard, Bourdon, Leneuf, Godefroy and others, obliging those to whom lands were given to assume the company's duties of clearing such lands, and sending and supporting the settlers; but the few families who came under that management had to find a living by themselves and as a result the recruiting

in France was discouraged from the outset. Rosée, Cheffault and Company acted in the same manner as the great company; cleared no land and only sent provisions from France for their own fur-trade employees. Father Le Jeune had said in 1635 that the Hundred Partners were "discharging their duties perfectly, although at a very great expense" in regard to procuring actual settlers; this is not confirmed by the facts, since we can only find seventy men of that class arriving from 1632 to 1639, and as far as we can ascertain coming of their own accord, and at their own expense. Statements made in 1641 and 1642 concerning the approximate population corroborate our opinion in this matter. The number of settlers up to 1636 was forty-three, according to our own calculation. Father Le Jeune said in the fall of that year, that if the Jesuits had a school in Quebec they might expect to teach twenty or thirty French pupils. Three Rivers had no children at that date. Father Le Jeune adds: "A poor man burdened with a wife and children should not come over here the first years with his family, if he is not hired by the Gentlemen of the Company, or by some one else who will bring them hither: otherwise he will suffer greatly and will not make any headway." Such was the situation, and we find there is no room for praise.

The narratives concerning the Hurons are to be found in Volume VIII.

X.–XV., 1634–1639, the Hurons, Quebec, Three Rivers. These six volumes form a series by themselves and must be examined together. They represent six years of sanguine expectation of progress entertained by the Frenchmen in Canada. They tell us of the bright promises received from the mother country and also of the openings the missionaries expected to have on the Great Lakes through the apparent good dispositions of the Hurons and other allied tribes. The reading of anterior *Relations* had truly excited the piety of several men and women of some influence in three or four cities of France, and there was a movement on foot tending to help the missionaries, even by colonization, but this latter part of the programme was soon paralyzed by the indifference of the Hundred Partners. What resulted from the sudden ardor of those well-intending persons was merely the commencement of a hospital and an Ursuline school in 1639. The scheme to establish the Knights of Malta at the head of the colony fell through, on account of the Order being called to do duty in the East; and on the side of the Hurons war prevented any development of the religious missions in Upper Canada. During these years of expectation the Jesuits were prompted to furnish as much information as they could obtain concerning the country and to suggest measures of general improvement. This situation renders the letters of 1634–39 most interesting, and when we know that they were written by men like Le Jeune and Brebeuf they attract necessarily the utmost attention.

Six residences or Jesuit missions existed in New France: Sainte Anne of Cape Breton, Saint Charles at Miscou, Notre Dame de Recouvrance at Quebec near the fort, Notre Dame des Anges half a league from

Quebec, Conception at Three Rivers, Saint Joseph at Ihonatiria among the Hurons—this latter being the mother house of five or six other missions spread throughout Upper Canada between Lakes Huron and Erie. Fourteen priests, besides their assistants, were distributed in this manner from the mouth of the St. Lawrence to the eastern shores of Lake Huron.

It was not without a sort of spite that the Algonquins of the Ottawa noticed the arrival of Brebeuf in the Huron country, for they were jealous of the facilities the Frenchmen would impart to the Hurons in the way of traffic if they were allowed to have close intercourse. The mind of the Algonquins, as well as that of the Hurons and the Iroquois, never realized in those days the purpose of the missionaries: they naturally saw nothing but trade and commerce in the doings of all classes of Europeans. Hence from the moment the Jesuits took permanent residence in the Huron country the Iroquois determined upon a war to the death against these people, because they felt that the French were becoming the masters of the fur-trade around the lakes. Brebeuf says that in 1635, the Iroquois having alarmed some Huron villages, a rumor circulated that the Algonquins had warned the Hurons of the sad result of the coming of the black gowns amongst them. They had not foreseen the nature of the trouble which they predicted. Soon after, the Iroquois having shown some desire to attack Allumette Island, the Algonquins ran to the Hurons for assistance. By that time the Iroquois had made up their minds to destroy both nations and they entered (1636) openly upon the execution of that plan. Father Brebeuf and his missionaries in the Huron country had no means to detect the danger nor to repulse it. They wrote in full belief that the omens were most favorable. It is painful to us when reading those enthusiastic letters to think that the enterprise of the missions was on the verge of the most terrible tragedy destined to take place in the annals of this new continent.

In brief the little headway made from 1632 to 1639 may be considered as marking a period of prosperity if compared with the years that followed.

BENJAMIN SULTE.

Old Virginia and her Neighbors. By JOHN FISKE. (Boston and New York: Houghton, Mifflin and Co. 1897. Two vols., pp. xxi, 318; xvi, 421.)

WE are told in the preface of this interesting work that in the series of books on American history upon which the author has for many years been engaged, the present volumes come between *The Discovery of America* and *The Beginnings of New England.* To complete the picture of the early times and to make connection with *The American Revolution* and *The Critical Period of American History* (two charming works of Dr. Fiske with which the public is familiar), the author promises two further contributions, of which one, entitled *The Dutch and Quaker Colonies in America,* is already in preparation, and the other, yet unnamed, but which will resume the history of New England at the accession of

William and Mary, will follow as soon as possible. Thus the design of the author is to afford in the end a connected story of the thirteen English American communities up to the time when they became permanently united as the United States of America, under the Constitution framed at Philadelphia in 1787.

The plan of the present work is to group under one treatment the colonies formerly comprised within the territory of South Virginia. As a mother standing among her children, the original commonwealth, Old Virginia, receives from the author the largest share of attention, but he takes care not to neglect the younger commonwealths (her "Neighbors") Maryland, North Carolina and South Carolina, which were taken from her at different times. Beginning with an account of the spirit of commercial adventure which led to the settlement at Jamestown, the author sweeps before the reader's eye the ever-widening wave of cause and effect, which, proceeding from the landing of the settlers on the fateful fourteenth day of May, 1607, rolled ever onward, west, north and south, up the James, the York, and the Rappahannock, over Maryland, Carolina, and Georgia, till in the fullness of time the widening circles swept over the Appalachian ranges, to traverse the broad valley of the Mississippi.

Dr. Fiske deserves the highest praise for this work. There is present in these charming volumes such a profusion of knowledge, such a pervading spirit of fairness, such a flowing stream of sympathy, that it is only just to say of the talented author that he appears in the grand, unfolding panorama of men and events as a master of narrative power.

What is more charming than his opening chapter? How the heart leaps out in salutation to those glorious "kings of the sea," Sir John Hawkins, Sir Francis Drake, Sir Humphrey Gilbert and Sir Walter Raleigh. There they stand on the very threshold of the Virginia colony, glorious sponsors for the future of her history—a history destined in the swift rolling years to compass the story of a republic of continental grandeur.

The vicissitudes of the colony at Jamestown receive a graphic treatment from Dr. Fiske, who stands stoutly up for the celebrated John Smith and the gentle Pocahontas. The objections urged by some who in recent days have sought to throw discredit on the most romantic incident in American history—the famous rescue at Werowocomoco—are denounced for their utter "flimsiness." Dr. Fiske has a theory of his own in reference to the matter, but it appears to me that resting as the story does on direct evidence, no added reasons are necessary to vindicate its truth. All that the objectors adduce or can adduce against the incident is in the nature of circumstantial evidence, which in the absence of an opportunity for cross-examination amounts to very little in either a court of law or a court of history.

The chapters on Claiborne's contest with Lord Baltimore, and on Nathaniel Bacon's war with Sir William Berkeley, are splendid examples of a faithful adherence to facts, expressed with the highest literary finish.

Where so much excellence prevails, it almost seems an ungracious task to point out errors. A few changes in the text, however, might be advantageously made.

Of the danger of generalizing from conditions which in their nature can be but partially stated, Dr. Fiske appears perfectly aware. In fact he repeatedly warns us against the sin so generally committed of "sweeping assertions." But does he not sometimes seem to forget to act up to his own standard of precaution? For instance, when he states that from an educational standpoint there was an "undeniable contrast" between New England and Virginia, is he not repeating a claim not borne out by modern investigations? Did in fact any such contrast exist? Could a sorrier picture of ignorance be found than that painted by William Root Bliss, from the town records of colonial Massachusetts? From the work accredited by Mr. Bliss to the town clerks in New England, their spelling was not even up to the vague standard of that age, when the dictionary was a more or less useless article. Unquestionably, we must largely discount the Baroness de Riedesel's statement that "only one in ten" of the men of Massachusetts, about the time of the Revolution, could write. Nor ought we to take too seriously the declaration of John Adams made in Congress about the same time, that the fishermen of New England were as "degraded as slaves." These statements, however, and others like them which may be cited, contain, perhaps, just enough truth to make us chary of accepting Dr. Fiske's estimate of the existence of any real "contrast."

After a like manner, a pretty just objection might be made to Dr. Fiske's habit of referring to Virginia as an "aristocracy" and to New England as a "democracy." The fact is that the formal aristocracy of Virginia was conditioned on so many democratic features, and the formal democracy of New England was so essentially aristocratic, that society in the two sections afforded no grounds for the contrast suggested by the use of the terms. For if in New England all the officers except the magstrates were elected, it must be remembered that the forms of electionsr the limited extent of the franchise, and the narrow and illiberal spirit of the voters, prevented any real popular control. The truth is that from the beginning caste was in high favor in New England. It must be said that the statutes of Virginia afford no order like that of the general court of Massachusetts in 1651, which expressly pointed out the distinction between "the better class," those "above the ordinary degree," and those of "mean condition." It may be true that the office-holders of Virginia were confessedly life officers. Yet their powers were always subject to the will of the House of Burgesses, in which the people ruled supreme, the oft-stated freehold restriction on voting being until 1736 totally undefined and inoperative.

As time went on two things emphasized the spirit of democracy in Virginia. The first was the isolated lives led by the inhabitants, and the second was the growth of slavery of the negro race. Isolation promoted self-confidence and self-reliance, and negro slavery made race and not

class the real distinction in society. I have myself noticed how quickly the servant who had no handle to his name is addressed in the county records, after serving his apprenticeship and becoming a freeman, with the title of "Mr.," a term of high respect in those days. Mr. Bliss on the contrary declares that the great majority of the people of New England were addressed by the homely title of "goodman." The Southern critic might desire that the elements of undesirable population imported into Virginia had not been so great, but Dr. Fiske shows that these people had very little real authority in shaping the destinies of the colonies. After all, the vicious emigration to which the Northern states have been subjected during the present century has long since equalized the accounts between the sections, so far as this feature is concerned.

The account which Dr. Fiske gives on page 198 of Volume II., of the laws regarding slaves, might also be desirably modified. Many of the harsher statutes mentioned by him as applying to the whole colonial period had in fact either a late enactment, temporary application, or partial enforcement. To say that murder of a slave was not punishable is unquestionably an error. The offence was punishable like any other murder, though the law declared that it was not murder if a slave accidentally died from correction, or was killed while resisting his master. In the *Virginia Gazette*, as early as 1737, is an account of the hanging of a wicked master who cruelly beat his slave to death.

A word, too, may be uttered in favor of Dr. John Pott, who acted as one of the early governors of Virginia. In mentioning the fact that Dr. Pott was convicted of stealing cattle, the seriousness of the charge undoubtedly required the additional statement that the Privy Council in England, on a review of the case, declared that the Doctor had been unjustly treated. As he is also charged by Dr. Fiske with being of a convivial turn, it is but right to say that Dr. Neill, on whom Dr. Fiske relies, was mistaken in his reference, since the original authority, George Sandys, clearly alluded to young Christopher Calthorpe and not to Dr. Pott.

Again in saying that Maryland had no newspapers until 1745, Dr. Fiske departs from his customary accuracy, since Willam Parks began the *Maryland Gazette* at Annapolis as early as 1727.

There will doubtless be a great demand for Dr. Fiske's volumes, and I feel quite sure from the painstaking disposition of the author that he will rest very easy under criticism and be most happy to remedy as far as possible all defects in future editions of his work. There can be no hesitation in saying that the appearance of these volumes constitutes an epoch in the history of the literature appertaining to Virginia.

LYON GARDINER TYLER.

[Just as these pages are going through the press we receive the following communication from Mr. Lewis L. Kropf, the Hungarian scholar, on the question of Captain Smith's veracity.]

I fully agree with Professor Fiske that it is highly important to know whether any of Captain Smith's narratives are truthful or not. The con-

troversy on this point has now lasted three centuries, as he says, and will to my mind last many centuries longer, so long in fact as "historians of a later age" will continue to consult their own convenience and not take the trouble to look for materials of evidence in the proper quarter. To settle the point I have ransacked Hungarian sources and at the beginning of 1890 contributed a short series of articles to the London *Notes and Queries* (7th Ser., Vol. IX.) in which I adduced more than ample evidence to prove that Captain Smith's exploits in Hungary, Transylvania, Wallachia and Moldavia as related by himself in the *True Travels and Adventures* are a worthless pseudo-historical romance, and that the bogus grant of arms to Smith by the Prince of Transylvania is a clumsy piece of forgery that could not possibly mislead any one possessing more than a superficial knowledge of Hungarian history. I communicated the verbatim text of this precious document to the Hungarian Heraldical Society about the same time, and it was read at one of their meetings and received with peals of derisive laughter by the historians present. There never was and never will be any controversy in Hungary about the veracity of Captain Smith. The text of the document alone was sufficient to brand him as an impudent forger.

The articles in *Notes and Queries* have unfortunately escaped the notice of Captain Smith's latest biographer, in the English *Dictionary of National Biography*, and therefore it is not to be wondered at that they have remained unknown to Professor Fiske in far Massachusetts. Consequently, as I said, ink will continue to flow and "the smoke of the conflict" will continue "to hover about the field." Had Professor Fiske read my contribution to the controversy he would have penned Chapter III. of his *Old Virginia and her Neighbors* in a totally different frame of mind, no doubt, and inevitably come to the conclusion that "the staggering blow between the eyes" of which he writes was the one that gravelled the Virginian Ananias and not the "flippant critics" who laugh at his rodomontades.

LEWIS L. KROPF.

LONDON, 16 May, 1898.

Colonial Mobile. By PETER J. HAMILTON, A.M. (Boston and New York: Houghton, Mifflin and Co. 1897. Pp. xxii, 446.)

THE vast region, draining from the Tennessee watershed to the Gulf, and here first characterized as the Alabama-Tombigbee Basin, rich in natural features and historic interest, finds in this volume an exhaustive and appreciative presentation of its history. While the work is called *Colonial Mobile*, it concerns not alone the town of that name, but the settlement and expansion of population in the whole basin, while under the rule of foreign powers, and during the early years of American control. The period covered, 1519–1821, is divided into six parts, with an appendix of documents and collateral matter. Within these three centuries come the discovery and exploration by the Spanish, 1519–1670; the set-

tlement and growth of the French, 1670–1763; the domination of the British, 1763–1780; and the occupation of the Spanish, 1780–1813. In none of the general histories of Louisiana, Mississippi, Florida, or Alabama, indeed in no work, has emphasis been placed on the fact that the Mobile Basin has been the centre of an important influence and history from the early explorations of the sixteenth down to the present century. Failing to appreciate this importance the treatment of its history has heretofore been subordinate and meagre. The author finds the explanation in the fact that "Spain, France and England lost the territory so long ago as to have lost likewise interest in its history. It has, too, so long been severed from the Mississippi valley, which was colonized from its shores, that the historians of modern Louisiana have known personally but little of this the original seat of that great empire, and have devoted their attention mainly to the later growth which centered on the lower Mississippi."

Coming therefore to a consideration of the history of the area included in his subject, the author views it as a distinct field of influence and activity, and duly emphasizes its larger historical aspects. The result is a work of more than local interest. The early explorations are reviewed, and confirmatory evidences are presented which show the correctness of Dr. Scaife's identification of the Spanish Rio del Espiritu Santo with Mobile River and Bay. Then comes the making clear the fact that for about twenty years under the French the town of Mobile was not only a colony but distinctively the French capital of Louisiana—the Mississippi Valley—and that afterwards it was still more than a settlement, although not the capital, for it was the head of the Department of Mobile, and the chief seat south of Canada of French influence among the Indians. After the English had become the conquerors, it was important for its touch with the Indians, and through Bayou Manchac for its control of the English half of the Mississippi valley. During the Spanish period, which is more local, the running of Ellicott's line and the Louisiana purchase again bring the section into the current of broad history. Under the Americans the Creek War and the Bay engagements are among the brilliant events in the annals of the Union.

The purely local annals are given in considerable fulness. The beginnings of settlements, local exploration, the establishments of forts and trade relations with the Indians and all the detail of intercourse with them, the lives of the people and of their immediate rulers, the relations of the colonists to those of the adjacent powers, are all noted in graphic form. Appropriately interwoven with the general narrative are sketches of the leading characters. As a town chronicle the book is one of great value, giving full details as to early settlers, names of persons and places, government, etc. It has definitely located the first French Mobile, and fixed the site of old Fort Charlotte. There is a careful study of all the old land grants.

The execution of the work evinces an earnest enthusiasm and painstaking care which only the student of modern historical method can ap-

preciate. It is not in any sense a mere expansion or an enlargement in the treatment of old facts. Making clear the distinctive character of his theme, the author has recast the whole treatment. This, together with the wealth of additional material introduced, gives to the work the first place as authority. It is in a sense hardly fair to make such a comparison, but it is interesting to note that Pickett, the leading historian of the period, gives but one chapter to British control, while Hamilton gives nine; Pickett dismisses the later Spanish occupation in one chapter, with nothing of their local history, while Hamilton devotes eleven chapters to the same subject. The usual authorities have been freely used, and often with new interpretation. The search for new material seems to have been exhaustive. The author spared neither pains nor expense in securing all that was to be found that would contribute in the most remote way to the elucidation of his theme. The whole of the local field has been personally explored by him. Among the new authorities never before used, and which are cited, are the records of the Catholic Church at Mobile from 1704, the papers of General Haldimand, papers from the British colonial office, the *American State Papers* the departmental archives of the United States, the local land, court, and municipal records, the files of the *Mobile Register* and other newspapers, together with numerous old letters and unpublished memoirs. The illustrations, with few exceptions all new, include many rare and hitherto unknown early maps, which add greatly to the value and completeness of the book. All in all the work is one of superior merit, and must hold a permanent place in our historical literature.

THOMAS MCADORY OWEN.

Select Documents illustrative of the History of the United States from 1776 to 1861, edited with notes by WILLIAM MACDONALD, Professor of History and Political Science in Bowdoin College. (New York: The Macmillan Co. 1898. Pp. xiii, 465.)

THE first document is the Declaration of Independence and the last one is the Constitution of the Confederate States. The whole number is ninety-seven, and they are arranged in chronological order. Accompanying each document or related group there is a paragraph of explanatory matter, bibliographical references to the sources of the selections and collateral references to other works. It is the aim of the author to utilize the space of a single volume of convenient size for presenting "such documents as any one pretending even to an elementary acquaintance with the history of the United States may fairly be expected to know." While not rare or new, many of the selections are not conveniently accessible to the ordinary student. Seventeen of the precious pages are occupied with the Constitution of the United States, a document so accessible that it might have been omitted from the collection except that the book is designed to be used as a student's manual in company with lectures or a narrative text, and reference to the Constitution would be frequent.

If twelve representative teachers of United States history were appointed each to make an independent collection of the documents which in his judgment would be most helpful to the ordinary student of United States history and sufficient in quantity for a convenient hand-book, half of the space in each of the twelve volumes would probably be filled with matter practically identical. The remaining space would express individual peculiarities of the teacher.

Our author has omitted all tariff acts and all documents referring to a tariff policy, with the single exception of Hamilton's report on manufactures; the only other references to the subject are in cases where the tariff is incidentally involved in the general subject of finance or where it threatens the Union of the States. All acts organizing departments of the executive and the courts are omitted; all party platforms; all speeches with the single exception of the Webster-Hayne debate. There are no selections from newspapers or private letters. The longest document is the decision of the Supreme Court in the Dred Scott case, occupying nineteen pages. Apart from this there are no judicial decisions. Our policy of internal improvements, our policy as to the disposal of the public domain, and the Indian policy are passed over without documentary reference. These observations are not made by way of disparagement but rather to show the necessarily limited character of such a hand-book.

Three main topics occupy each about a third of the space. These are Banking and Financiering, our Foreign Relations, and questions involving the Union of the States, including of course the slavery question. The only documents not conveniently grouped under one or another of these three heads are the few constitutions or documents of fundamental law, the Ordinance of 1787 being a part of our fundamental law. Washington's message for the suppression of the Whiskey Rebellion may be classified as administrative financiering. The Alien and Sedition Laws are intimately connected both with our foreign policy and with the Union of the States. Only one naturalization law is given, that of 1793, because of its relation to the reactionary policy against foreigners. The one exception which proves the rule is the Tenure of Office Act of 1820. No one will deny that the three topics chosen are of primary interest in the period covered. It is a question whether it would not be a better plan, instead of running the list chronologically without a break, to group the papers under the three natural divisions and then, by the selections and by the bibliographical references, to give the treatment of them something of the air of completeness.

The one topic which, as presented in the book, most nearly approaches completeness of treatment is that of United States Banks. In Hamilton's reports there is a documentary account of the origin of the First Bank and its constitutionality is discussed in papers from Jefferson and Hamilton. The act establishing the first bank is omitted, while the act establishing the second one is given. Seventeen documents exhibit the famous controversy between President Jackson and the Bank. These are messages and vetos of the President, acts of Congress, resolution of

censure in the Senate and the expunging resolution, transactions between the Treasurer and the Bank and between the Treasurer and certain state banks. The shortest document in the book reads: "Sir: You will deliver to the collector at Philadelphia all bonds to the United States, payable on or after the first of October next, which may be in your possession on receipt of this order." The letter is signed by R. B. Taney, Secretary of the Treasury, and is directed to Nicholas Biddle, Esq., President of the Bank of the United States, Philadelphia. The "bonds" referred to are warehouse bonds held by the bank for the collection of customs. October 1, 1833, had been selected as the date for removing deposits and transferring them to state banks. Two other letters have the same date, September 26, 1833. One is directed to the Collector of Philadelphia, commissioning him to receive the bonds described in the above document, and the other is an official notice to the Girard Bank that it is made a depository for funds collected in the vicinity of Philadelphia. The subject of financiering apart from the relation of the treasury to the banks is not so fully treated, there being, indeed, little on the subject apart from Hamilton's reports and the sub-treasury acts.

The collection of documents exhibiting our foreign relations is admirable. I do not see how the space could have been better utilized. There are the ten treaties of primary importance, including every treaty by which territory was acquired; the joint resolution annexing Texas; collections of papers relating to the two chief wars; President Monroe's message and other documents. It would be easy to make a long list of omissions, but there is evidence of much care in the sifting.

It is difficult to go amiss in the selection of the leading documents on the Union of the States. There were four periods at which the strength of the Union was especially tested. In the case of two of these our foreign relations were the exciting cause; in the third it was the tariff question, and in the fourth the slavery question. Corresponding to these four periods there stand out prominently the Virginia and Kentucky Resolutions of 1798–99, the proceedings of the Hartford Convention of 1814, the Nullification Act of South Carolina in 1832, and the formation of the Confederacy in 1861. The last seventy pages of the book are occupied with a pretty complete list of documents beginning with the compromise measures of 1850 and leading up to the Civil War. Of course during this part of our history the slavery question is thoroughly merged into the question of the Union of States; but previous to this date the slavery question has an interest of its own quite apart from the doctrine of state rights. It is in the list of papers bearing upon the slavery question previous to 1850 that occurs what seems to me the most singular omission in the book. I refer to the famous contest over the Right of Petition and the Gag Resolutions. The constitution of the Anti-slavery Society, organized in 1833, is given, but the stirring events that gave the society its significance are not mentioned.

On the whole, the book is to be highly commended. It is a well-winnowed collection of useful material for giving the air of reality to our

history. The explanatory matter accompanying the documents is well suited to the purpose intended. The bibliographical references to public documents will be of great assistance to those wishing to extend the investigation.

JESSE MACY.

The Life of Charles Carroll of Carrollton, 1737–1832, with his Correspondence and Public Papers. By KATE MASON ROWLAND. (New York: G. P. Putnam's Sons. 1898. Two vols., pp. xx, 400, 487.)

THE author of the excellent *Life of George Mason* has fully sustained her reputation as a biographer in the present volumes. They are characterized by extensive research, good judgment and literary skill; and the reader is carried along by her attractive pages from the youth to the old age of Charles Carroll of Carrollton with increasing interest at every step of his eventful career. This work contains so much valuable material for the historical student, for Carroll was a great letter-writer, that the wonder now is that it had not appeared before. The author has had the use of the family papers now in the possession of descendants of Carroll, the Hon. John Lee Carroll, heir and occupant of "Doughoregan Manor," the estate of Charles Carroll of Carrollton; the Rev. Thomas Sim Lee of Washington, D. C.; and Mrs. William C. Pennington of Baltimore. These were supplemented by valuable letters and papers in the Archives of the State of Maryland, in the library of the Maryland Historical Society, in the Scharf collection of the Johns Hopkins University, and numerous other depositories and autograph collections. There are but few breaks in the record, and the author has handled her abundant materials with care and thoroughness; and "wherever it is possible, letting his own pen guide her record."

Charles Carroll of Carrollton reached the ripe age of ninety-five and is known most conspicuously to posterity as "the last of the signers" of the Declaration of Independence. The well-rounded career of this illustrious and virtuous statesman falls roughly into three periods, of nearly equal cycles: the first, the period of his youth and education; the second and most important, his thirty years of public life and service; and finally the last thirty-two years of his life, when he retired to the quiet and rest of his estate at Doughoregan Manor, in Howard County, Maryland. The Carrolls of Maryland are legion, and at the time of the American Revolution there were four families, all more or less prominent in the social and political affairs of the state. The Carroll pedigree is an old and famous one, the Carrolls of Carrollton and Doughoregan Manor tracing their ancestry to "the old Irish princely family of the Carrolls of Ely O'Carroll, Kings County, Ireland." Charles Carroll, the grandfather of Charles Carroll of Carrollton, was descended in the fourteenth degree from "Fiam or Florence, King of Ely, who died in 1205." The elder Carroll, a Roman Catholic, at the age of twenty-eight migrated to Maryland

in 1688, with a commission as Attorney-General of Maryland and with liberal grants of land from the Lord Proprietary, with whose family marriage had indirectly connected him. The "Protestant Revolution" occurred soon after his arrival, and, in the words of his grandson, he "was destined to experience, even in the asylum he had selected, the evils of that religious persecution from which he had so recently fled. As a Catholic, he was deprived of office." But Carroll received other offices through the favor of Charles, third Lord Baltimore, and gradually obtained large tracts of land, 60,000 acres in all, in various parts of the province, thus laying the foundation of the princely fortune of his descendant, Charles Carroll of Carrollton. "Doughoregan Manor," an estate of 10,000 acres, was included in the above.

Charles Carroll, the second of the line in Maryland, was born in 1702 and through the death of an older brother, Henry, became the heir to his father's estate. The third Charles Carroll "of Carrollton" was born at Annapolis, September 19, 1737. From 1748 to 1757 we find him in France, where he received his classical education. In the latter year he took up his residence in London to study the law, and in 1765 he returned to Maryland. During his residence abroad an interesting correspondence was carried on between father and son, and much of it is reproduced by the author. We note the care with which the father follows the training of his son, advises him about his studies and his acquaintances, praises and exhorts good scholarship, and interests himself in his son's love affairs. He likewise informs him of political affairs at home and confides his feelings over the disabilities imposed upon Catholics by the provincial government, including the double taxation of their lands, and exclusion from office and the suffrage.

Indeed the elder Carroll thought of leaving Maryland altogether. He writes in July 1760: "From what I have said I leave you to judge whether Maryland be a tolerable residence for a Roman Catholic. Were I younger I would certainly quit it; at my age (as I wrote you) a change of climate would certainly shorten my days, but I embrace every opportunity of getting rid of my real property, that if you please you may the sooner and with more ease and less loss leave it." But he assures his son that the latter should be allowed to choose for himself.

The younger Charles was a diligent student; nevertheless, he found some time to mingle in London society, heard the great Pitt, made the acquaintance of Burke, and there met a number of fellow "Marylandians," including Daniel Dulany, his subsequent political antagonist.

The estate of "Carrollton," in Frederick County, part of a tract of land on the Potomac belonging to the original Charles Carroll, "the Immigrant," was to be settled upon the young Charles upon his return to Maryland and henceforth he was to be known as "Charles Carroll of Carrollton." The young Charles returned to Maryland in 1765 and we hear no more about leaving the province. The "disabilities" of Roman Catholics were soon removed, and he was to assume a large share in the activities of his state. It is quite probable that he signalized his return

to America by joining in a demonstration near the Manor against the obnoxious Stamp Act. Thus began the second cycle in his career. Carroll soon leaps into fame in his controversy with Daniel Dulany. The question at issue was the collection of officers' fees, which the House of Burgesses desired to reduce in amount, but in which they were opposed by the Council and Governor Eden, who finally settled the fees by proclamation at the former rate. In a series of articles in the *Maryland Gazette* waged between "Antillon" (Daniel Dulany) and the "First Citizen" (Charles Carroll of Carrollton), the latter championed the cause of the Burgesses and the people, maintained "that fees were taxes and taxes should only be laid upon the people by those who represented them." Four able letters, abounding in legal points and classic lore, appeared in the *Maryland Gazette* in 1773 in reply to as many able papers by "Antillon." The result was a popular victory for "First Citizen," and a repeal of the governor's proclamation followed. The will of the people had been vindicated. Following the "tax on tea" and the Boston Port Bill of 1774, we find Carroll taking part in the destruction of the tea-laden brig, the *Peggy Stewart*, in the harbor of Annapolis. He now appears as a member of the Maryland Convention, of the Provincial Committee of Correspondence, the Committee of Safety, and the Committee of Observation for his town and county. Indeed, Carroll's superior administrative ability commanded the respect of his fellows and he is made to serve on innumerable committees. On January 11, 1775, the Maryland Convention instructs its delegates in the Continental Congress to "disavow in the most solemn manner, all design in the Colonies of Independence," though this position was opposed by Carroll, who favored independence. Carroll is now called outside his state to serve the colonies on a mission to Canada together with Benjamin Franklin and Samuel Chase, as commissioners of Congress; their object being "to promote or form a union" between the colonies and Canada. They were also to supervise the military operations in Canada. The details of this expedition, which proved a failure, are found in the *Journal* of Carroll. Carroll reappeared in the Maryland Convention by June 24, 1776, and largely through his efforts, Maryland now fell into line with the other colonies for independence. On July 4 following, Carroll was chosen a delegate to the Continental Congress. He took his seat on the 18th and on August 2, Carroll and his colleagues signed the engrossed draft of the Declaration. The author refers to the oft-repeated story that Carroll added "of Carrollton" to his signature when jestingly reminded that there were others in Maryland bearing the same name, and points out that Carroll had always written his name thus since his return to America. Congress now placed him on the Board of War. In August, 1776, we again find Carroll in the Maryland Convention assisting on a committee in drafting a Declaration of Rights and Constitution for Maryland, which owed at least one unique feature to his authorship, the electoral college for the choice of state senators. Maryland's attitude on the adoption of the Articles of Confederation next claims attention. Maryland did not

propose to allow the states like Virginia possessing large Western lands an unjust advantage over those possessing none and instructed her delegates to secure an amendment authorizing and empowering the Congress "to ascertain and restrict the boundaries of such of the confederate states which claim to extend to the river Mississippi or South Sea." The author attributes this action to "an unfortunate and short-sighted jealousy against the states possessed of unsettled western lands;" and adds "it is surprising to find Maryland statesmen advocating it;" but fails to recognize the fact that this was the only way Maryland could protect her own interests, and that "justice and sound policy" justified her course of procedure in refusing to ratify until satisfactory concessions were made. Carroll was at Valley Forge in the winter of 1778 on a commission from the Continental Congress, and always remained a firm friend and supporter of Washington. In November 1778 Carroll resigned his seat in Congress, preferring, in common with many others at this time, to the dismay of Washington, a seat in the assembly of his own state. He was re-elected to Congress in 1780 but again resigned. In May 1783 he became president of the Maryland senate. He was next chosen a delegate to the Federal Convention, but declined. He was a leader of the Federalists in his state and undoubtedly had an active part in the adoption of the Constitution by the Maryland Convention of 1788, but we have no details of his views, as his correspondence covering this period has been lost. Carroll is now sent to the United States Senate and immediately engages in active committee work. He took a leading part in favor of the Funding Bill and favored the Potomac site for the capital of the United States and in recognition of his leadership in the latter movement, the Potomac party in the Senate was referred to by Maclay of Pennsylvania as "Carroll and Co." Maclay, however, was appeased by Carroll's amendment giving the temporary residence to Philadelphia for ten years. Carroll's term expired in two years, but he was returned to the Senate for a six years' term. He also held a seat at the same time in the Maryland senate, but upon the passage of a disqualifying law by the Maryland legislature in December, 1792, he remained in the Maryland senate and resigned his seat in the United States Senate, saying: "Thus I have got rid of a trust which I really accepted with reluctance."

Carroll now rounded out his public career in the Maryland legislature and performed many useful services to his state. He retired to private life in 1800 and almost simultaneously with the retirement of the Federalist party, of which he was a conspicuous member. He favored the Jay treaty, and opposed, with Hamilton and Washington, "the Jacobin tendencies of the French Republic." With the advent of the hitherto untried Jeffersonian democracy Carroll had strange forebodings of the future. Of Jefferson, he writes: "Mr. Jefferson is too theoretical and fanciful a statesman to direct with steadiness and prudence the affairs of this extensive and growing Confederacy." In his retirement at Doughoregan Manor, Charles Carroll of Carrollton still kept up his lively interest in public affairs, American and European, and the author

gives us a detailed insight into the views of this political philosopher and seer. The "Manor" was always a centre of attraction for people of culture and many distinguished guests, foreign and native, were entertained under its roof. In a contemporary paper is found this tribute: "His mansion has given celebrity to the hospitality of Maryland, by being opened to distinguished visitors from every quarter of the globe. The utility of his public life is gilded by the peaceful beams of his declining years."

July 4, 1826, marked the fiftieth anniversary of the Declaration of Independence and likewise the dramatic death of Jefferson and Adams, two of the three remaining "signers." Charles Carroll of Carrollton survived these events by six years and on November 14, 1832, he too "was gathered to his fathers."

Carroll was a gentleman, a scholar, and a statesman, though not always fortunate in his political prophecies. Punctuality, regular habits, frugality, modesty and purity of character were attributes of the man; and he was possessed to a marked degree of tact and executive ability.

This "limited letter press" edition of the life of Charles Carroll of Carrollton is an excellent sample of the printer's art and is unusually free from typographical errors. In Volume II., p. 360, line 19 should read 1828 (instead of 1822). In the Index, the reference to "Peggy Stewart Day" should read I. 131 (instead of II. 131). The work is minutely indexed and the author has taken great pains to indicate in footnotes the source of every letter and every statement quoted. While the correspondence of Carroll is freely incorporated in the text, his public papers are given in appendices, covering one third of the book, and include the *Letters of the First Citizen*, the *Journal of Charles Carroll of Carrollton, during his visit to Canada, in 1776, as one of the Commissioners from Congress*, the Carroll wills, 1718, 1728, 1780, 1831; and genealogical notes of the Carroll family, the latter being accompanied by an unique chart giving a synopsis of the O'Carroll pedigree. There is a bibliography and a list of portraits of Charles Carroll of Carrollton; and the book is illustrated with half-tones of the three Charles Carrolls, of Doughoregan Manor, and the Annapolis home, together with a frontispiece showing the "Arms of Carroll, chiefs of Ely, Kings County, Ireland," and bearing the motto *In fide et in bello forte*. It is significant that when his grandfather, Charles Carroll, the "Immigrant," came to Maryland in 1688, he changed the family motto to *Ubicumque, cum Libertate*, and so it remained.

J. Wm. Black.

The History of Our Navy, from its Origin to the Present Day, 1775–1897. By John R. Spears. (New York: Charles Scribner's Sons. 1897. Four vols., pp. xv, 416; xvi, 425; xvi, 469; xx, 607.)

The history of warfare, be it military or naval, is crowded with incident, resembling therein man's daily life in the world; but differing also

materially, in that the incidents are more often than not of a stirring or picturesque character. When operations are actually going on, as during the favorable seasons of a land campaign, and in naval warfare generally throughout the year, the multiplicity of affairs,—usually small, sometimes great,—impart to the picture, regarded as a whole, an impression of vivid action, the particulars of which are not to de discerned, much less understood, without an effort on the part of the narrator so to represent them that the reader is indûced to comprehension, without undue discouragement.

From these conditions it results that military history divides naturally into three kinds. There is the simple chronicle, in which each event is narrated, ordinarily in order of time, as in a journal; but also, unless it is intended as a mere reference table of dates, with sufficient extension of detail to make each transaction comprehensible in itself, though without reference to other matters or to the war at large. Of this kind of naval history, James's *History of the British Navy* is a notable example. It discards avowedly any pretense to philosophical treatment, or to explanation of the relations of events to each other. The action is divided under three principal heads,—Fleet Battles, Battles of Single Ships, and Colonial Expeditions. Each of these is given in chronological order; and as the work, until recently, was not indexed, the perplexed student would at times spend raging hours seeking for some statement he was sure he had seen, but to whose whereabouts the arrangement gave no probable clue. The value of such a work depends chiefly upon its accuracy. It is raw material; of no great use to the ordinary reader, until worked into some definite shape by a competent student.

At the other end of the scale is the more philosophical treatment, which regards the war as a whole, seeks to detect its stream of tendency, and to explain how each factor, each event, contributed to the general outcome. Such a view, though broad, is not necessarily vague in character; but, in order to be distinct, it requires the elimination of a great deal of minor detail, which confuses the impression sought to be produced. This treatment is very purely intellectual; its appeal to the emotions, as excited by the grand drama of war, is only incidental, and arises rather from the splendid nature of the subject itself than from the direct effort of the writer.

There remains a third method, that of the connected, all-embracing narrative, which omits nothing, unless it be the merest triviality, but nevertheless seeks the consistency and coherence of the well-told story, the interest of which is sustained throughout by the skill of the writer, handling his incidents as a novelist does the fortunes of his characters. It is to this class that Mr. Spears's *History of Our Navy* belongs; and it is scarcely necessary to remark that to combine into a consistent whole the incidents of a century, omitting nothing of importance, yet maintaining the interest of the reader, is an exceedingly difficult task. There is no natural unity in the subject, beyond the fact that it deals with the Navy; the various battles and other operations are so many *dramatis personae*, often unrelated to one another; and, when the stage is crowded with figures, we

all know that, though interest may be momentarily aroused, it soon wearies, from the fact that the confusion makes comprehension a painful effort. Who can endure a constant procession of figures, except when draped in color and animated by music like a military parade? When the procession of worthy citizens in plain black, with curious badges, files monotonously by, the windows empty; and it is the same in history.

This is, of course, doubly true where the nature of the case makes the crowd of actions—or actors—individually commonplace; and until the time of the Civil War this was in great measure the case with the American Navy. The scale upon which the United States has constituted her sea forces—in the Revolution necessarily, and since that time deliberately—has made of her naval history mainly a series of single-ship actions, which are not easily to be understood by the non-professional reader; and what is not easily understood does not readily interest—as is the case with Browning as a poet and Meredith as a novelist. A great battle between fleets is a splendid episode, the salient or decisive features of which can generally be made clear, without much technical explanation; the prominent actors are few; their acts are frequently brilliant. Along with clearness there are color and animation. The theme possesses its own unity and its own interest, and lays, therefore, the lightest tax upon the author's powers of presentation. Where such episodes are frequent they lighten the whole, and the judicious skimmer, which the practised reader usually is, can travel from episode to episode without exhaustion. But at the very best it is hard to carry even such interest over the proceedings of a century. The greatest military history in the English language, Napier's *Peninsular War*, which magnificently combines philosophical breadth of treatment, minute technical discussion, and superb dramatic power, covers a period of six or seven years, and takes abundance of space in which to do so. Having thus ample room to explain adequately, and being at the same time provided by the nature of his subject with plentiful and rich material wherewith to decorate, he is enabled, with his own unusual powers of presentation, to engage at once the understanding and the heart of his readers, who are carried without conscious effort from scene to scene with the sensation of unbroken delight. A man capable of enjoyment in seeing clearly and feeling deeply will find few dull pages in Napier.

From these considerations it will appear that Mr. Spears, in attempting to present a century of naval history, even though so few years of that century have been years of naval war, has undertaken no slight task. In the matter of presentation, adequate to inform and interest a reader, it cannot be said that he has succeeded. There is a great lack of proportion in devoting only 522 pages, out of over 1850, to the Civil War. In order to compress the latter within the dimensions thus assigned to it, details of interest have to be ruthlessly cut off, sacrificing at once clearness of exposition and the interest which can only be obtained by a sufficient entry into detail, where detail exists. Readers must be permitted to linger a little over incidents, to enter somewhat into the daily expe-

rience of the actors in the incidents, or else they will neither understand nor care. As an instance, the bayou expeditions, as they were called, during Grant's operations before Vicksburg, afford material for graphic narrative, and they had also a definite object in view. True, they failed; they may even have been mistakes; but in excitement and picturesqueness they rank high among naval adventures, and the understanding of their purpose contributes materially to the comprehension of the Vicksburg campaign as a whole, both on the military and naval side. Mr. Spears barely mentions them.

It is doubtless in consequence of this necessity for extreme compression that the style of the author at this portion of his work bears apparent evidence of hurry. This most writers have felt as they approach the end of a long task, and especially if there has been anything perfunctory in its beginning, in its methods, or in its continuance. The author himself seems to share the precipitation of the reader, and the latter feels very much as if he were taken by the elbow and hurried along the shelves of a museum, while the catalogue of its contents is read aloud in transit. For this apparent haste Mr. Spears's profession as a journalist may account in part; but it is to be attributed chiefly to the original mistake, by which one-fourth of his space is allotted to three-fourths of the interest of his subject.

To the American Revolution 302 pages are given. The amount is not excessive; for the difficulties, the heroism, and the considerable influence exerted upon the general result by the predatory warfare, to which the Revolutionary seamen were driven, has never been adequately set forth. In this beginning of his work, the author shows little evidence of the haste so painfully perceptible towards the close. There are indeed some incidents that might well be omitted as, for instance, the prayer of the Scotch parson against Paul Jones' ships, Vol. I., p. 239, which is not a part of American naval history; and, where economy of space for better objects was so much needed, some of the easy-tongued abuse of Great Britain's action during the Revolution could be spared, as being, upon the whole, somewhat behind the date, and irrelevant to naval history, strictly so called. But the author shows a considerable amount of philosophic appreciation of the bearing of events, which causes regret that he did not exert his powers more adequately upon the later period of the Civil War. The unprofessional reader may gain a fair idea of the contribution of American seamen to the cause of their country's independence. In particular, the author's recognition of the importance and decisive effect of Arnold's campaign on Lake Champlain, in 1776, is most creditable to his insight. It would have been better still had he traced the sequence of cause and effect which justified his remark; but, although the comment had occurred independently to the present writer, he had never published it, and as far as he knows it is original with Mr. Spears.

The War of the Revolution and the War of the Rebellion are the two great military, as well as political, crises of the history of the United

States. In the popular appreciation of Americans, however, the War of 1812 is the great naval epic. Save the combats upon Lake Erie and Lake Champlain, there was no organized warfare, in the modern sense, upon the waters; but, as in the Homeric poems, interest is concentrated upon champions—single ships—with the intensity that easily gathers round the exhibition of personal valor. Mr. Spears evidently shares this prevalent sentiment, for to this theme he gives 725 pages—a volume and a half—of his total space. As a tribute to the navy of that day, in whose honor, as regards the qualities of its officers and men, too much cannot be said, this is not amiss; but if the object of naval history be not merely to fire the popular imagination, but to instruct the popular intelligence as to the value of sea forces, the relative proportions allotted to 1812 and to each of the two great struggles cannot be approved. The fact that there were no better officers nor braver men, the world over, than those who then took our frigates and sloops to sea, should never be allowed to obscure the lesson that our statesmen had so pitiful an appreciation of the necessity of a navy, that they brought the country to war practically powerless upon the ocean. But that knowledge is inevitably obscured, unless pains is taken to contrast the glory of the navy with the distress of the nation, whose ports and waters were blockaded with impunity because the navy was so weak; and an erroneous impression is conveyed, in the comparative importance attributed to the events of that war, by the greater space given to them, collectively and individually.

For instance, the momentous events occurring on the Mississippi, from Farragut's first passing the batteries of Vicksburg, June 28, 1862, to the surrender of Vicksburg, July 4, 1863, a period of twelve months, cover 27 numerical pages, of which 14 are given to full-page illustrations. In these thirteen remaining pages are comprised the following events: Farragut's passage of the batteries of Vicksburg, and his return past them; the daring dash of the Confederate *Arkansas*, and her action with the U. S. vessels; the bayou expeditions of the navy about Vicksburg; the capture of Arkansas Post by the navy; Ellet's raid up the Red River; the battle and capture of the *Indianola;* Farragut's passage by Port Hudson (which occupies just one page); Porter's passage of the batteries at Vicksburg and his battle at Grand Gulf (to these two together one page). The same space is given in the War of 1812 to the circumstances attending the action between the *Wasp* and the *Frolic*, two sloops of war of 450 tons. These cover 15 pages, from which two are deducted for a full-page illustration.

The portion of the work not touched upon so far gives an account of the wars with the Barbary States and with Mexico, of the putting down of piracy in the West Indies, and of the slave trade on the coast of Africa; with incidental mention of other naval matters of interest. These occupy the latter half of Volume III. Thirty pages at the end of the work are very properly devoted to a description of the present navy.

A. T. Mahan.

Memoirs and Letters of James Kent, LL.D., Late Chancellor of the State of New York. By his great-grandson, WILLIAM KENT. (Boston: Little, Brown and Co. 1898. Pp. x, 341.)

A GOOD test of a biography is the impression which its perusal makes on a reader who is in or who puts himself into the attitude of ignorance with reference to its subject. One to whom Chancellor Kent's name was previously unknown, from these *Memoirs and Letters* may derive a very just opinion of the personality, studies, character, labors and standing of that distinguished jurist. As the work, apart from the appendix and index, consists of only 277 pages, it is obvious that the story of a life of eighty-four years is told concisely and without waste of detail, and yet it does not lack color or strength of lines.

The son of a clergyman, born in Dutchess County, N. Y., July 31, 1763, James Kent was graduated from Yale College in 1781, with the love of his classmates and the honors of scholarship, won in a course broken by the incidents of the War of the Revolution.

While in college the reading of Blackstone's *Commentaries* created in him the purpose to become a lawyer, and entering at once upon his studies for the profession, he began that course of systematic research into the standard law books, and liberal excursions, first in English, next into classic and especially into Latin literature, and then into French, to which he adhered through life. The number of the volumes, the variety of subjects, the diversity of the literature subjected, not simply to review, but to earnest study, expose the breadth of intellect, and the thoroughness of preparation which were to flower out into a masterly grasp of high themes and a diction of rare clearness, precision and force.

The methods of the future chancellor explain how in seven years, from the age of twenty-four to thirty-one, he was to accomplish so much. "In the morning till after eight," he says, "I read Latin, then Greek until ten. Then I gave myself up to law or business until the afternoon, and after two hours' attention to French, I concluded the rest of the day with some English author." From these methods came "pleasure and ardor," and "they opened to him a world of learning, of happiness and of fame."

This was the equipment of James Kent, a country lawyer, at Poughkeepsie, N. Y., when in 1793 he removed to New York city and the next year became a professor of law in Columbia College. He was poor, with little practice, and his lectures in the college, after the first course, failed to command attention, so that he soon resigned the professorship.

He had been in 1790 elected a member of Assembly from Dutchess County, and in 1793 he had been defeated in a canvass for representative in Congress by his brother-in-law, Theodorus Bailey. In 1796 he was returned to the Assembly from New York city. While his legislative career was respectable, he felt no zeal in it and no desire to prolong it.

On the contrary when Governor John Jay, who had in February, 1796, appointed him master in chancery, added a year later the appoint-

ment as recorder of the city of New York, he found employment entirely congenial to him, and in 1798 he became, to the satisfaction of his ambition, a judge of the Supreme Court of the state. In that position for sixteen years he achieved the highest reputation, by opinions carefully elaborated and written out in detail, then a novelty in that court, and in 1814 he was commissioned chancellor, when he at once applied his processes of thorough investigation and exhaustive discussion which raised the Court of Chancery to a plane which it had never before occupied.

The habits of wide and liberal study were not abandoned amid the cares and burdens of the supreme bench. In addition to the latest works on jurisprudence Judge Kent kept up the reading of Latin, French and English authors in many fields of literature, including history, philosophy, travels, biography and reviews. His selections were cosmopolitan, but if an opinion may be formed from his summary of the plays of Shakespeare, his critical acumen in the drama was not equal to his legal erudition.

The chancellor during his whole life was a Federalist, a champion of Washington, a particular friend of Hamilton, always opposed to Burr, a severe critic of John Adams, and still more, of course, of Jefferson. He was a familiar figure in the most select social circles of Albany and New York, and his acquaintance and correspondence extended to many eminent persons, notably Story, Webster and Everett.

Fortunate was the provision which made his retirement from the chancellorship compulsory at the age of sixty; for he was thus enabled to return to his office of professor in Columbia College, and to produce the lectures which became the basis of his *Commentaries on American Law*. These gave him a place in the front rank of American jurists, and served, when they first appeared, to introduce our lawyers and courts and decisions and legal learning to the favorable consideration of the old world. Expanded and annotated by the author, and after his death still sensibly edited, these *Commentaries* retain an esteemed place in law libraries at home and abroad.

The "Memories of Alexander Hamilton," printed as an appendix, serve to show the style and the politics of the chancellor.

While the career and labors of Chancellor Kent were not of the popular sort, these *Memoirs* illustrate how thoroughly he used all his talents, and they provide an example and an incentive, not only for professional men but for all, to make the most of time and to garner steadily at every moment the flower and the grain of literature. The book is thus healthy and inspiring, as it is well constructed, and without pretensions or fulsomeness; it is excellent in a high class of biography. Yet, singularly, the date of the death of the chancellor nowhere appears in its pages, an omission sure to be corrected in later editions.

Ellis H. Roberts.

The Neutrality of the American Lakes and Anglo-American Relations. By JAMES MORTON CALLAHAN, Ph. D. (Baltimore: The Johns Hopkins Press. 1898. Pp. 199.)

MR. CALLAHAN'S study of our international relations on the northern lake border is published in the Johns Hopkins *Studies*. It is a book of nearly 200 pages, with wide margins and copious citations of sources. The introduction gives a general sketch of the American policy as to the neutralization of the lakes. The subsequent chapters deal with the lake boundary in the treaty of 1783, the struggle for supremacy in those waters and the adjacent regions (ending in 1815), the agreement of 1817, and the disturbances threatening the permanence of that agreement arising from the Canadian rebellion of 1837, our northeastern and northwestern boundary disputes, the Civil War, and the Fenian raids, and from various incidental causes. Finally it is shown how the agreement has been continued, and how beneficent have been its results.

Mr. Callahan's work is painstaking, and gives what seems to be an exhaustive sketch of the subject. In newspaper citations possibly he is a trifle too conscientious. How far public opinion is really reflected by newspaper editorials or communications is always an open question. At all events, the mere existence of such an article is slender evidence of anything beyond the editorial hope that it may be interesting to somebody.

The diction is occasionally careless. "Mr. Bagot could not be rushed" (p. 12), "The British general, McNabb, had Captain Drew to anchor two schooners" (p. 95), "Adams was led to suspicion that England was simply amusing the United States" (p. 79), are cases in point. Such expressions as "old musty maxims of diplomacy" (p. 19) and "notwithstanding occasional waves of jingoism" (p. 22–3) are mere cant. "Haldiman" (p. 37) is doubtless a misprint. The name is correct on p. 30. The American commissioners at Ghent in 1814 were not "ministers" (p. 51, note 2). However, these are trifling slips in a thorough piece of work.

The agreement of 1817 was a very sensible thing. It has saved mutual rivalry in expense, and, what is still more important, it has doubtless saved irritating friction. The parade of strong naval squadrons on the great lakes would be an absurdity. Naval power on salt water is a very different matter, for the ocean is the highway of the world. On the lakes, however, Great Britain and the United States are absolutely alone, and it would be ridiculous for the two nations to make naval faces at each other across these isolated fresh-water ponds.

The compact of 1817 has usually been called an "arrangement" or an "agreement," with the implication that it is not a treaty. The difference is, after all, not very easy to point out. The agreement received the assent of the British crown, which is all that is necessary to the validity of any treaty so far as Great Britain is concerned. To be sure effect was given to the arrangement by both governments without refer-

ence to the American Senate, on the assumption that it was a mere administrative agreement. But in April, 1818, President Monroe submitted the matter to the consideration of the Senate, and that body promptly ratified it. It would seem that such ratification was essential to the complete validity of the arrangement. One condition is that "If either party should be hereafter desirous of annulling this stipulation, and should give notice to that effect to the other party, it shall cease to be binding after the expiration of six months from the date of such notice." Now, of course, it is competent for any president to make an agreement with reference to a mutual disarmament, and he will then be bound in honor to carry it out. If a part of this agreement involves a six months' notice as a prerequisite to annulment, there is no doubt that this, too, he would be under moral obligation to maintain. But, surely, no such mere personal compact could be legally binding on any successor. No foreign government would be entitled to demand the six months' notice as an international right. To make such stipulation a legal obligation on the government of the United States it would be necessary that it be an agreement, not merely of the Executive, who is not empowered by the constitution to make compacts with foreign nations, but of the constitutional treaty-making power. In point of fact this has been done in case of the "agreement" of 1817. It was made by the President and confirmed by the Senate. That being the case, and, as has been seen, the agreement also having been ratified by the British treaty-making power, it would seem that the "arrangement," the "agreement" of 1817, is to all intents and purposes a treaty, and as such is legally binding on both parties.

HARRY PRATT JUDSON.

A Memoir of Robert C. Winthrop, 1809–1894, prepared for the Massachusetts Historical Society by ROBERT C. WINTHROP, JR. (Boston: Little, Brown and Co. 1897. Pp. vi, 358.)

FEW men could be named in all that portion of our history in which he lived—save only the great characters of the war period itself—whose memoir will be welcomed by a greater number and variety of readers than that of Robert C. Winthrop. Rare indeed have been the men, distinguished in any sphere or specialty of active life, who have been permitted to labor on and win in it an abiding name, for the long years—well nigh three score and ten—which were the lot to the subject of this memoir. But his was no special work. Indeed what is written over his tomb at Mount Auburn, "Eminent as a Scholar, an Orator, a Statesman and a Philanthropist,—above all a Christian," does but faintly measure the full scope of his life-work, active to the end. Mr. Winthrop's personality, so unlike that of any other one who lived in his time in this country, was carried into everything he did, and into all his public career, making everything pertaining to him and his work especially interesting. This book is not his "Life" nor his "Works." They have been many years

before the public and have more than justified the inscription, which filial partiality might otherwise have been excused in appropriating. But this *Memoir* brings to the public notice, not the "Works" of Mr. Winthrop, but Mr. Winthrop in his work;—how, and under what conditions, what influences, passions, and in spite of what adverse winds and waves and currents he had worked, patiently and confidently awaiting the judgment of those who should come after him upon what he had been able to contribute to the public service.

Beyond his distinguished public career, during the most crucial period in our history, there cluster around the old historic name of Winthrop many rare characteristics so interwoven into the story of his own life as to render this book most attractive and interesting. He came of a stock born to be heard and felt among men, and who for more than two hundred years had been the counsellors of the people as they grew up from a ship-load of feeble emigrants to a great nation. He was the seventh in direct line from that John Winthrop, governor of the Massachusetts Colony more than two hundred and fifty years ago, whose statue, standing for his state, is the first on the right of the door as you pass into the National Statuary Hall at Washington, typifying in every lineament of feature and pose of figure, the brain and will power of the great leader he was. Pedigree counts for but little with us, but when strong traits of character follow blood as they sometimes do, and shape and color the career of men generation after generation, they help much in the study and estimate of men's lives. Especially is this true of the Winthrops. There was never lacking, in any one of the six generations between the founder of the family in this country, and Robert C. Winthrop, some one embodying in his person and in his place among his fellowmen those great traits of character and purposes of life that the first governor brought over from England and so signally illustrated in the early days of our colonial history. The reader of this book will find much in the public life of Mr. Winthrop traceable to this origin, which would be otherwise not easy of explanation, but, for this reason, all the more interesting and attractive.

Mr. Winthrop was destined from the outset for a political career, and was educated accordingly, just as others are educated for the ministry or the law, or to be physicians. And every possible opportunity that ample means and family pride could supply was given him for the most complete equipment. His oration at graduating, entitled "Public Station," had a political tinge, and, curiously enough, was charged with *sectionalism*, a charge which in one shape or another hovered around nearly all he did in after life. Quoting from the Psalms, he exclaimed with David, "Promotion cometh neither from the East, nor from the West, nor yet from the South." A distinguished Virginian in the audience, who was afterward Speaker of the House of Representatives and Minister to England, took this in high dudgeon as an insult to the South and ostentatiously refused, on that account, to attend a reception given the young orator by his father when the exercises were over. Thus at

the early age of nineteen, he came into public notice as a young orator of rare attainment and promise, and he so acquitted himself on frequent occasions afforded him in Faneuil Hall and other noted gatherings, as to win for him at the outset very high rank, as an effective and eloquent speaker, which he maintained with increasing reputation as long as he remained in public life.

He plunged at once into politics, toward which all his early training had been directed. He adopted without question or qualification the political creed of the old Whig party, then dominant in his native state and powerful in numbers and weight throughout the Union, as that creed was then expounded by its great leaders and at that time universally held by the rank and file. As it then stood he adhered to it to the very letter, unchanged as long as he acknowledged allegiance to any political organization. He would as soon have listened to a modification or interpolation into the Thirty-Nine Articles, as to any modification of the doctrine to which he had subscribed. "*The Constitution as it is, our Union as it is, our Territory as it is.*" This was to him the Law and the Prophets, and by it he judged all measures and all policies, while he continued in the public service, and in that interest with which he followed public affairs through life. No one will judge Mr. Winthrop justly who loses sight of this, to him, unchangeable rule of conduct. With a thorough knowledge of the perils out of which the Constitution had come into existence, it was his firm belief that it could safely encounter the new perils confronting it, only by maintaining it with all its covenants and compromises just as it came from the fathers. It was his firm conviction that in the storm that was gathering over slavery extension, attempts to either promote or check it by change or disregard of the organic law were equally hazardous, and should be frowned upon, in whatever guise they came. No other interpretation of the creed of the Whig party was held by any one at the time of Mr. Winthrop's adhesion to it, and any other always appeared to him full of peril. He took at once a leading part in its deliberations and work, and became its pet and idol. He had hardly reached thirty years of age when he had been six years a member of the Massachusetts Legislature, and three of these the Speaker of the House, then consisting of more than five hundred members, and had been elected to Congress, of which he soon became the presiding officer. The highest honors of the republic seemed within his reach.

Mr. Winthrop's ability and attainments fully justified his rapid rise. As a classical scholar, as a graceful and eloquent speaker, as well as powerful debater replete with knowledge of all history, his influence in the public counsels made him prominent before all other aspirants for public distinction. His speeches in Congress, and at noted times while he was in the public service, and especially his addresses and orations on rare occasions after his retirement, already before the public in the four volumes of *Addresses and Speeches* published during his lifetime, are of inestimable value to every public man as a reference on all great questions

which have arisen for discussion within the last fifty years. They are a record of views and conclusions on the gravest of issues, which will stand the test of subsequent examination in the light of accomplished facts, with less qualification than that left behind by any of his contemporaries.

But this *Memoir* has been published the rather to reveal the real inner man of one who brought to the public service great ability, rare gifts, and a pure and ardent patriotism, at a period in our history so surcharged with passions and prejudices as to render a just judgment of the motives of those who differed from current opinion well-nigh impossible. The time has been well chosen, and the work admirably done. Time has taken the false coloring out of acts that once seemed equivocal, and has brought to the clearer and juster judgment of men efforts to avert a gathering storm, the fearful consequences of which an over-ruling Providence has averted. The public can look with more calmness and with a juster balance now than in the heat of the war upon differences about the best methods of averting it or of bringing it to a successful issue. And the son has in this book, with admirable temper and candor, laid before the public the inner purposes and struggles of his distinguished father to ward off national perils no one could measure, and which, as he saw the light, dim at best, were sometimes seriously aggravated by indiscretions of others equally patriotic. But when the war came, and debate had closed, how grandly does this *Memoir* reveal the real character of Mr. Winthrop. It is all told in a single incident. No two men differed more widely as to the line of duty, up to the first gun at Sumter, than Henry Wilson and Mr. Winthrop. But these two men forgot all differences when, on Boston Common, Winthrop presented to Wilson's regiment, in words that stirred the blood in every patriotic heart, the flag it was to follow and fight for. Those who fought for the Union had no more efficient or constant supporter than this statesman, whose efforts to avert a conflict had relegated him to private life.

But this true patriot did not sulk in his tent on his enforced retirement, but still with untiring assiduity devoted himself to the public service. In every possible way during the war, he contributed to the efficiency and care of the army in the field. And after the war was over, all the remainder of his days were full of efforts to build up the waste places, and re-establish the grandeur of the Union. The record of his work for a quarter of a century in the administration of the Peabody fund, of the oft-repeated appeals in behalf of the poor and ignorant brought into citizenship by the social upheavals of the war, his grand contributions to the patriotic literature of the country during this period, in his centennial addresses at Bunker Hill and Yorktown, at the completion of Washington's monument, and on other noted occasions, are a legacy to coming generations of priceless value.

This book was written for the Massachusetts Historical Society, as a memorial of one who had been its president for thirty years, that there might be left on its records a tribute to his great worth and work. It is more. It is the tribute of a son, loyal to a good name of which he is

justly proud, giving coloring enough to win for him the respect of every generous reader. It sets down nothing in malice, nor exaggerates any claim, but the story is told in a style which has just enough flavor of the old Winthrop wine to make it attractive. It has been well done and the general reader cannot afford to miss it.

HENRY L. DAWES.

The Old Santa Fé Trail; The Story of a Great Highway. By Colonel HENRY INMAN, late Assistant Quartèrmaster, United States Army. (New York and London: The Macmillan Company. 1898. Pp. xvi, 493.)

FIFTY years ago passage across "the plains" between the Missouri River and the mountains was made by one of two routes: the Oregon trail by the Platte River valley and the Santa Fé trail by the Arkansas. The former or northern was the route of emigrants intending to settle on the Pacific coast, in Oregon chiefly, for gold had not then been discovered in California and emigrants from the East had not been attracted to that region. The southern or Santa Fé trail was mainly a route of trade, by which all the region of New Mexico was supplied with articles not produced there and returned in payment the furs of the mountains, the buffalo skins of the plains, the gold of the placer mines and the silver of Mexico. A few emigrants took the southern trail and some traffic the northern, and each was familiar to the hunters, trappers and Indian traders of the mountain region.

Between these routes Parkman hesitated for a moment before starting on the expedition of which he has left that fascinating narrative, the first of his published works, *The Oregon Trail.* For his purpose he of course decided wisely in favor of the northern route. He wished to see and study the Indian as nearly as was then possible in his primitive condition. The Dakotahs, Crows, Blackfeet and other tribes of the North had scarcely seen white men, except the half-wild hunters and trappers who frequented their country, and their character or customs had not appreciably changed since the time when this continent was unknown to the rest of the world. The Comanches, Arrapahoes, Apaches, Navahoes and other southern tribes had been for generations or even for centuries more or less in contact with white people, and, though still essentially savage, had been more or less superficially influenced by them. Yet for most adventurous travelers, seeking new and strange scenes and incidents, the Santa Fé trail had superior attractions. Trade is commonly esteemed prosaic, but this form of traffic had in it enough of novelty and variety of scene, person, incident and danger to remove it beyond the region of the commonplace and give it a flavor of romance quite unlike anything to be found in the business of ordinary life in our country and time.

The great highway, broad and well worn by travel, stretching out for eight hundred miles through a vast expanse of level or gently rolling prairie, seeming to the eye as boundless as the ocean, with no landmarks

to be approached and passed, no dwelling of man near it, no other roads meeting or crossing it, not even a tree or bush to be seen for days together, was impressive in its way, and the grand monotony of the prairie, whether bright with fresh herbage and gay with flowers in the spring or gray and sombre under the fierce dry heat of the late summer or early autumn, was sometimes exhilarating, sometimes depressing.

The long train of heavy wagons, transformed each evening into a fort for protection against possible Indian attacks, the varied company of traders, adventurers, drivers, mountain men, Yankees, Missourians, creoles, French and Spanish, half-breeds and Indians, the vast herds of buffalo, the inevitable nightly serenade of coyotes, their shrill clamor interrupted occasionally by the long mournful howl of the larger "lover" wolf, the appearance now and then of Indian parties, hostile if their numbers or the carelessness of the caravan gave them an opportunity to stampede the stock or attack the train or camp with some hope of success, or ostensibly friendly if the conditions constrained them to appear so—all these sights and sounds and incidents were full of novelty and interest to the observer from the East; he seemed to be transferred to another age and to share with the early travelers and explorers the delight of discovery of new lands, new peoples and new manners.

Colonel Inman, whose book has suggested these remarks, seems to have made his personal acquaintance with the Santa Fé trail after it had lost something of its oriental and medieval aspect. But the traditions of its earlier times were fresh and abundant. He has collected many of them and relates them in a somewhat desultory but agreeable fashion. He had also the advantage and has used it, of course with suitable acknowledgment, of Josiah Gregg's book, *Commerce of the Prairies*, published in 1845, now long out of print and somewhat scarce, which is by far the most complete and authentic account of the early Santa Fé trade and of the province of New Mexico before its acquisition by the United States. For the earliest notices of this trail and of the region crossed by it, Colonel Inman seeks the usual sources. He has mention of Cabeça de Vaca, of De Soto and Coronado, who in the sixteenth century traversed some portion of this region. He thinks that Coronado's route had its terminus near the great bend of the Arkansas. It seems to me more probable that his town of Quivira, the farthest point eastward reached by his expedition, was on the Kansas River not far from the present site of Lawrence.

Colonel Inman's book can scarcely be called a history, though it contains much historical matter and is full of anecdotes, descriptions and biographical sketches of men famous on the frontier in their day, as scouts, traders, or hunters, all of which, besides their interest as tales of adventure and peril, have value as illustrations of history.

For one who has a taste for tales of daring and perilous adventure it would be hard to find more pleasant matter for desultory reading than these anecdotes of such daring pioneers, scouts, mountain men, and early traders as Ezekiel Williams, William and Charles Bent, Kit Carson, Col.

Cody, St. Vrain and others. Colonel Inman himself had some thrilling experiences which he tells with spirit and modesty. On the whole, the book, though unsystematic and a little disappointing to one who expects facts arranged in an orderly narrative, was well worth writing, and the men now living who could have written it so well with so much personal knowledge of its scenes and characters are not many.

J. Evarts Greene.

Essays on the Civil War and Reconstruction and Related Topics. By William Archibald Dunning, Ph.D., Professor of History in Columbia University. (New York: The Macmillan Company. 1898. Pp. ix, 376.)

The Civil War produced a rank and rapid growth of constitutional interpretations. The problems were new, the Constitution untried and the extremity seemed dire. President Lincoln and Congress found ready to hand as rules of interpretation the doctrines of implied powers and reasonable construction ("that which will give efficacy and force to a government, rather than that which will impair its operations and reduce it to a state of imbecility," *Story*). They used them freely.

The cases of constitutional interpretation in the Civil War and Reconstruction period are treated in the first five of the seven essays before us. Essay I., The Constitution of the United States in Civil War, discusses those acts of the President and Congress relating to the conduct of the war which involve new or questionable powers. Essay II., The Constitution of the United States in Reconstruction, treats of the relation of the seceded states and their inhabitants to the national government. The conclusion is that "private rights must be determined . . . on the theory that a state cannot perish:" but the "precedents of political action may and probably will be regarded as much more consistent with" the state-suicide and conquered-province theories of Sumner and Stevens. In the territory in insurrection the national government stood at the close of the war supreme above every other authority and obligated by the Constitution to protect life, liberty and property and to guarantee a republican form of government. The former obligation it met by establishing the military government, which acted sometimes through the state governments and sometimes in spite of them (Essay III., Military Government during Reconstruction); and the latter by the construction of a "new political people" and its organization into states under the supervision of the military power (Essay IV., The Process of Reconstruction). This was the work of Congress alone, acting by a two-thirds majority that was sometimes factitious. But if in time of war the executive can become a despot, says Professor Dunning, in the view of constitutional history the impeachment and trial of President Johnson (Essay V.) "must be considered as marking the utmost limit of the sharp reaction which followed the sudden and enormous concentration of power in the

executive department during the stress of arms . . . The single vote by which Andrew Johnson escaped conviction marks the narrow margin by which the presidential element in our system escaped destruction." A few of the precedents treated in the course of these essays have been confirmed by the judiciary; more have been incorporated into the Constitution by amendment; the rest stand on the authority of the department that made them.

It is evident from the style and method of treatment that Professor Dunning has thoroughly familiarized himself with the documentary evidence on the period. But the work of the historical laboratory is not done over in the presence of the reader. His results are succinctly stated. The temper in which he writes is wholesome. Citations and references are meagre; still on the main point, which is always to present the constitutional aspect of the act or decision rather than to discuss the method by which it was actually reached, he will rarely fail to carry conviction by what he says. To the teacher and the student his work will afford valuable and timely help in the further study of the period. To the general reader he will prove interesting, unless the very narrowness of his constitutional point of view should disappoint.

Professor Dunning is forced to admire the process of reconstruction "as a demonstration of political and administrative capacity;" but he criticizes its purpose and questions the political wisdom of various important acts. That such opinions should be but incidentally expressed in essays that ought to have the word "constitutional" worked into their collective title illustrates the author's singleness of purpose. But it also suggests that he is equipped with the material to elaborate in another and perhaps larger work some very interesting conclusions on some of the great questions of political expediency that arose in this period.

The last essay, of thirteen pages, on American Political Philosophy, is out of place in this collection and insipid in comparison. The last but one: Are the States Equal under the Constitution? is pertinent and timely, but not so satisfactory as the five preceding. It is easy to show that the inequalities are not so great as might appear at first. It is very easy to show, however, that unequal conditions have been laid on some states, that they have been operative and that the courts have enforced them (cf. two land cases in the reports of the U. S. Circuit Court, Turner *vs.* Am. Baptist Missionary Union, 5 McLean 344, and Thompson *vs.* Holton, 6 McLean 386). Still the Supreme Court has repeatedly declared the principle of the equality of the states. Professor Dunning concludes alternatively that if the relation of the United States to the individual states in respect to the terms of admission is a political question, "as there seems to be good reason" to believe, "the theory that all states have equal powers must be regarded as finally defunct; if it is not, the theory can only be galvanized into life by a powerful act of judicial construction;" and it is not easy to find evidence in rebuttal. Yet it seems a fair criticism to ask for a fuller presentation of the supporting cases which the author must have in his notes.

The ten reconstructing states are prohibited from narrowing the electorate on any ground. Mississippi and South Carolina have openly defied the acts of Congress. Mississippi claimed equality with the other states. South Carolina seems to have ignored the restoring act looking simply to the fifteenth amendment. "Practically this distinction has disappeared." Will Congress save its right by repealing the distinction on the ground that it is inexpedient to enforce it? or will it continue in abeyance until the Court has occasion to remove it on the broad ground that unequal conditions are unconstitutsonal? Here is a question from the reconstruction period that is alive and unsettled.

FREDERICK W. MOORE.

The Finances of New York City. By EDWARD DANA DURAND. (New York: The Macmillan Company. 1898. Pp. vii, 397.)

To an ancient Hindoo maxim, "Without treasure there is no reigning," Burke gave a modern form and smack in the oft-quoted epigram, "The revenue of the state is the state." The principle was, of course, good for the ancient city, which was itself the state, and may apply with but slight qualifications to the modern city, which is but part of the state.

The story of a city may be written in that of its fisc. The interest of such a work as that before us is, therefore, not confined to those who concern themselves about the mere financing of a single city or of many. It has lessons for all who desire the betterment of urban life generally. Whether for the limited or the general purpose, no better subject could be taken in hand than the finances of our metropolitan city, already aspiring to the leadership of the world.

Selecting as his main purpose the exhibition of the finances of New York, as they are and are to be, the author sketches but briefly their past history in order to discover there the germs of present and future development. In a single short chapter he compresses a period reaching from the middle of the seventeenth century to the notable epoch of 1830. It is true that the events of this period are of antiquarian interest only, but in it are found the beginnings of such institutions and phenomena as the general property tax, special assessments, legislative meddling, city debt, and a sinking fund. Throughout this period of nearly two hundred years the city was governed and administered by its Council, very much as the English cities now are.

The Charter of 1830 was framed upon the so-called federal plan, but the Council continued to keep a large part of administrative duties in the hands of its committees. A leading feature of the charter was the provision for a budget drawn up by the controller, approved by the Council, and submitted to the state legislature for its final action. In this second period, closing with 1849, the Croton water-works were constructed, which together with a few other and minor projects brought the city debt up to nearly fourteen millions.

In the third period, 1850 to 1869, during which the city was under the rule of the state legislature through "commissions," we find the debt increased to nearly forty-five millions, with an eight-fold increment of annual expenditure. A brief account of the Tweed Ring and of the political events culminating in the charter of Greater New York completes the historical part of the book and opens the way to the main subject. The author ventures the opinion that the combination of governing principles in the new charter will prove unworkable. He evidently favors "genuine council government."

After some show of a theoretical scheme the author proceeds in a practical way to treat, first, of the revenue; next, of expenditure; then, of the city debt. A final chapter on accounts and auditing will be of value to officials and experts.

The three revenue chapters, on taxation, special assessments, and returns from city property and franchises offer nothing novel and little that is instructive or encouraging. There is the same old story of the evasion of the personal property tax, of the vacation and non-collection of assessments, and the virtual exemption of franchises capitalized for untold millions, from taxation.

The two chapters on the city expenditure and the city debt are perhaps better worked out than any of the others. It is a curious historical outcome that the preparation of the budget is still entrusted to a "board of estimate" first organized by Tweed and perpetuated since with but slight changes in personnel and powers. The common council of Greater New York have virtually no voice in determining the destination of the eighty millions of revenue to be annually demanded. That the vast debt of the city (nearly $200,000,000) which includes a large part of the Tweed legacy, imposes a *per capita* charge of only $60 is a matter for congratulation. The history of the sinking fund of New York would be an excellent subject for a separate monograph.

The author of this book has fulfilled his modest task with credit. That he made diligent studies on the ground and in the local records, there is plenty of evidence. The book is well made, the plan is good, there is a bibliography, some useful tables, several ingenious illustrations, diagrams and an excellent index. There is no pretence of fine writing, in itself a great merit. The adjective "considerable" is somewhat overworked. No author could expect a work of this kind to be "a possession forever."

Recurring to the idea suggested at the opening of this notice, it may finally be said that Mr. Durand may have rendered a greater service than he proposed to himself.

WILLIAM W. FOLWELL.

Part XVI. of Dr. Reginald Lane Poole's *Historical Atlas of Modern Europe* (Clarendon Press) contains, first, a map of Europe in 1740, based on the Spruner-Menke map (but on which we note *Rsywick* and *Millhausen*). Next follows an interesting map of England and Wales before

the Norman Conquest, by Mr. W. H. Stevenson, on which, by an ingenious variation of typography, Anglo-Saxon names taken from Bede, Latin names taken from Bede, Celtic names, and names derived from the Chronicle and other sources are distinguished one from another. A list of the local names, with their modern representatives, is given. The third map in this part is one prepared by Mr. Hugh E. Egerton, which exhibits European explorations and colonies from the fifteenth to the seventeenth century. It represents Guiana as extending up to and along the south side of the Orinoco for about two hundred miles from its mouth. There are inset maps which show the North American colonies, the West Indies, the Guinea coast and the Indian Archipelago after the Dutch conquests, on a scale larger than that of the main map. The first of these places Hartford a dozen miles from the Connecticut, New York on the west side of the Hudson, Jamestown on the south side of James River, and gives Baltimore the date of 1632 for its foundation.

Part XVII. contains, first, a map of England intended to serve for the sixteenth, seventeenth and eighteenth centuries, but especially representing the conditions of 1654, and the rearrangement of seats in Parliament effected by the Instrument of Government, in order to indicate approximately the distribution of population and property in the middle of the seventeenth century. London and its environs are shown on an enlarged scale. This map has been prepared by the editor, who has also co-operated with Miss Dorothea Ewart in the production of the next map. This shows the ecclesiastical divisions of Italy in the Middle Ages, with special maps of the Roman suburbicarian bishoprics and of the city of Rome with its ecclesiastical arrangements. The last map, by Mr. Egerton, is one which, upon Mercator's projection, shows the European colonies and dependencies from 1815 to 1897, and the states of that period independent of European powers. It is, like all the other maps described, well designed and beautifully executed; but it is unfortunate in assigning the region now covered by the two Dakotas, Montana and Wyoming to the Oregon territory, rather than to the Louisiana cession.

The first *Abtheilung* of the eighth volume of Dahn's *Koenige der Germanen* is a brief sketch of Frankish political history from 613 to 843, making a thin pamphlet of 108 pages. Nearly one-half of this space—46 pages—is given to the thirty years from 813 to 843, so that the first two hundred years receive very summary treatment. This division of space is made because of the author's more detailed treatment of the history to the death of Charlemagne in his *Urgeschichte*, to which constant reference is made. The whole is, however, scarcely narrative history, but rather a commentary on the events, and a statement of the results of the author's special studies and of his always decided and uncompromising opinions. Charlemagne, for example, displayed little originality. His work in all directions was to complete what his predecessors had begun. His wars were not due to political foresight, or to any unusual statesmanship. The great motive in the Saxon war was religious, the

expansion of Christianity. The effect of his work was to break up the old Frankish state and to produce results against which he would himself have striven most earnestly had he foreseen them. And yet he is rightly called the Great, and was a ruler of extraordinary genius. In addition to the clear statement which it gives of Dahn's own conclusions, the book will be found very useful for the frequent references to recent special studies, with the author's reasons for agreement or disagreement.

The *Annual Report of the American Historical Association* for 1896 has lately appeared. It is made up in two volumes, of which the second, Professor Ames's essay on Amendments to the Constitution, calls for more detailed notice at a later time. The first volume is a portly tome of 1313 pages, far too large for the convenience of most readers, but containing an unusually large proportion of valuable matter. We do not pretend to give an exhaustive review of its varied contents, beginning with Dr. Storrs's graceful inaugural address and ending with Gen. Greely's laborious list of the publications of the first two Congresses. Professor E. G. Bourne's paper on Ranke would seem to every reader deserving of special mention in even the briefest summary. Dr. Herbert Friedenwald's elaborate, and apparently definitive, account of the journals and papers of the Continental Congress is distinctly of that sort of material of which the Association should seek to bring out more and more ; and it must increase public appreciation of the importance of the papers of that congress still unpublished, and the desire of historians that more of them be put into print. Professor Haynes contributes an interesting sketch of the activities of a Know-nothing legislature. The extended discussions of the problems of method in the teaching of history, here printed verbatim, naturally lack somewhat in strictness of form ; but those who heard the many instructive things said on that occasion will be glad to have a chance to encounter some of the suggestions again, and to think them over at leisure. Professor F. J. Turner's paper on the West as a field for historical study is exceedingly suggestive, and is accompanied with Mr. Bradley's bibliography of Northwestern materials. Bibliographical work on the part of the Association happily increases. Mr. Friedenwald's paper on the journals of the Continental Congress and Professor Bourne's on Ranke have excellent accompaniments of this sort. Of other papers, we note Dr. Libby's plea for the study of votes in Congress on a systematic plan, that of Professor G. B. Adams on the influence of the American Revolution on England's government of her colonies, and that of Dr. E. C. Burnett on the history of the government of federal territories in Europe. The report of the Historical Manuscripts Commission follows, comprising, indeed, a large part of the volume.

NOTES AND NEWS

Although the greatness of Mr. Gladstone as a public man stands foremost in public recollection since his death (on May 19), and although history was only one of the many fields of intellectual activity in which his extraordinary mental energies exercised themselves, it is proper for a historical journal to contribute its part to his commemoration by calling to remembrance his three historical books, *Studies on Homer and the Homeric Age* (1858), *Juventus Mundi* (1869) and *Homeric Synchronism* (1876), books which, though many of their main propositions have not commended themselves ultimately to the professional experts in ancient history, yet showed great learning and an ingenious and powerful mind. History had also a large share in the volumes of reprinted essays, *Gleanings of Past Years*, which Mr. Gladstone published in 1879.

Sir John T. Gilbert, who died on May 23, was born in Dublin in 1829. From 1867 to 1875 he was secretary to the Public Record Office of Ireland. He edited the four folio volumes of *Facsimiles of the National Manuscripts of Ireland* which the government published several years later. He was also the author of a *History of the City of Dublin* (1854–1859), a *History of the Viceroys of Ireland* (1865), a *History of Affairs in Ireland from 1641 to 1652* (1879–1881), and a *History of the Irish Confederation and the War in Ireland from 1641 to 1649* (seven volumes, 1882–1890). He was knighted in 1897.

Col. G. B. Malleson, C. S. I., one of the most noted and scholarly writers on Indian history, author of a *History of the French Empire in India*, of more than one work upon the Indian Mutiny, and of the volumes on Akbar, Clive and Dupleix in the *Rulers of India* series, died on March 1, aged 72.

August Potthast, formerly librarian of the German Reichstag, and author of two well-known books, indispensable to the student of medieval history, *Regesta Pontificum Romanorum inde ab a. 1198 ad a. 1304* (1874) and *Bibliotheca Historica Medii Aevi* (1862, last ed. 1896) died at Leobschütz, Prussia, on February 13.

Rt. Rev. William Stevens Perry, bishop of the Protestant Episcopal diocese of Iowa, died in Dubuque on May 11. He was born in Providence in 1832, and was graduated from Harvard College in 1854. After having been minister of various churches and president and professor of church history at Hobart College, he was elected bishop of Iowa in 1876. For many years he was the official historiographer of the Episcopal Church, and the most important of his many publications had to do with its history. The chief among these have been an edition of the *Journals of the Conventions of the Protestant Episcopal Church* (1861); *Documentary History of the Protestant Episcopal Church in the United States of America* (1863–1864);

Historical Collections of the American Colonial Church (1871–1878); and a *History of the American Episcopal Church* (1885), of which the successive chapters were written by various hands, under his editorial supervision. The bishop's services have been particularly eminent in the bringing to light of documents in England bearing on the history of his church in America.

Hon. William H. Trescot died on May 4. He was born in Charleston, S. C., in 1822. In 1860 he was assistant secretary of state, and from 1877 to 1882 he was almost constantly employed by the United States government in special diplomatic missions. He published in 1852 a valued volume on the *Diplomacy of the Revolution*, which he followed in 1857 with a *Diplomatic History of the Administrations of Washington and Adams*.

Col. J. Thomas Scharf, who died on February 28, at the age of 55, was the author of four useful books of Maryland history: *Chronicles of Baltimore* (1874), a *History of Maryland* (1879), a *History of Baltimore City and County* (1881), and a *History of Western Maryland* (1882). Of these his *History of Maryland*, in three volumes, remains the leading general history of the state. In 1887 he also published a *History of the Confederate States Navy*, in which he had been an officer. He also wrote histories of St. Louis, Philadelphia and Delaware (1884, 1884, 1888). Col. Scharf was a tireless and most successful collector of manuscript material relating to the history of the South. His collection is now the property of the Johns Hopkins University.

Rev. Joseph H. Allen, Unitarian clergyman, author of *Christian History in Three Great Periods* (1880–1882), died on March 20, aged 78.

An International Congress of History will be held at the Hague in September, when the Netherlands celebrate the majority and coronation of the Queen. The Minister of Foreign Affairs will be the honorary president; the actual presiding officer, M. de Maulde La Clavière, secretary of the Société d'Histoire Diplomatique of Paris. The congress will be opened on September 12. The subscription is fixed at twenty francs, or four dollars. The papers read, which may be written in any language, will be printed and distributed to the members. The chairman of the local committee is M. Asser, councillor of state. Mr. James Gustavus Whiteley, of 223 West Lanvale Street, Baltimore, has been appointed to organize, and to preside over, the section of the United States.

The latest of the *Translations and Reprints of the Original Sources of European History* published by the University of Pennsylvania are: first, a translation of the canons of the four General Councils, edited by Professor Edwin K. Mitchell of the Hartford Theological Seminary; secondly, a series of documents illustrative of feudalism, edited by Professor E. P. Cheyney. The latter contains documents illustrating the origins of feudalism out of the relations of personal dependence, dependent land-tenure, and private jurisdiction, and thirty-odd documents illustrating

feudal institutions of later growth, followed by a slight bibliographical note. During the present year the historical department of the university intends to issue three publications larger than has been its wont: an edition of the Latin and Greek texts of the *Monumentum Ancyranum*, with an English translation, historical introduction, and notes; the remonstrance which the Cour des Aides presented to the king in 1775 during the ministry of Turgot; and a *Source-Book of the Italian Renaissance*, edited by Dr. Merrick Whitcomb.

The April number of the *Educational Review* contains a report on practical methods of teaching history presented to the New England History Teachers' Association by its commmittee, and discussion of the same by President Eliot; and a list of English sources for the teaching of history. The June number of the same periodical contains a suggestive article on the teaching of European history in colleges by Professor J. H. Robinson of Columbia.

Professor John W. Perrin of Allegheny College, Meadville, Penn., has been elected professor of history at Adelbert College, Cleveland.

Messrs. T. Y. Crowell and Co. announce the publication of a translation of Victor Duruy's *General History of the World*, edited by Professor E. A. Grosvenor of Amherst College.

ANCIENT HISTORY.

The Macmillan Co. will publish in four quarto volumes, commencing October, 1898, the *Encyclopaedia Biblica*, a dictionary of the Bible, edited by the Rev. T. K. Cheyne, Oriel Professor at Oxford and Canon of Rochester, and by Dr. J. Sutherland Black, assistant editor of the *Encyclopaedia Britannica*.

The American excavations on the site of Corinth were resumed by Professor Richardson, director of the American School, on March 23. Pirene has been discovered. It is intended that the next efforts shall be made on the site of the agora, which is now thought to be completely determined. The new Austrian Institute, under the direction of Dr. Adolph Wilhelm, has begun exploration and excavation on the site of the temple of Artemis at Lusoi. The English School intends to excavate in Crete. The Prussian museums have decided on excavations at Miletus, and will make a beginning next autumn.

Bernhardus Bursy, *De Aristotelis Πολιτείας Ἀθηναίων partis alterius Fonte et Auctoritate* (Giurgevo, C. Mattiesen, pp. 148) attempts with much ability to maintain, against Wilamowitz, the view that the second part of the famous treatise is not derived from secondary materials, but directly from the original text of the constitutions and laws.

In a series of *Cornell Studies in Classical Philology*, No. VII. is a monograph on the Athenian Secretaries, by Mr. William S. Ferguson.

The next volume of the Egypt Exploration Fund (Græco-Roman branch), which may be expected by midsummer, will contain, besides

many fragments of classical and early Greek papyri, several fragments of Thucydides, of Herodotus, of Xenophon's *Hellenica*, of a chronological work giving the chief events from 356 to 316 B. C., and of a lost Roman historian.

In the *Bulletin de Correspondance Hellénique*, XXI., 1–8, M. Perdrizet, in an article on *Proxènes Macédoniens à Delphes*, derives from the Delphic inscriptions important conclusions regarding the early history and geography of Macedonia, and respecting the Grecian coast-cities absorbed by Philip.

In the May-June number of the *Revue Historique*, Dr. W. Liebenam begins a general survey of the German and Austrian publications in Roman history during the years 1894–1895.

Noteworthy articles in periodicals: Sir H. H. Howorth, *The Early History of Babylonia*, II. (English Historical Review, April); E. W. Hopkins, *Ancient and Modern Hindu Gilds* (Yale Review, May); R. Pöhlmann, *Die Anfänge des Sozialismus in Europa* (Historische Zeitschrift, LXXX. 3).

MEDIEVAL HISTORY.

Parts of the poem of Ambrose on the Third Crusade, *Histoire de la Guerre Sainte*, were printed in 1885 in the *Monumenta Germaniae Historica, Scriptores*, Vol. XXVII., but the whole had never been printed. M. Gaston Paris has now printed a complete edition of the poem, with an abundant apparatus. It appears to be proved that Books II. to VI. of the well-known *Itinerarium Regis Ricardi* are a mere translation from the poem of the *jongleur* Ambrose. The first book of the London canon is derived from the same source as Ambrose, rather than directly from the latter.

In the Bibliothèque de l'École des Hautes Études (Sciences Religieuses) fasc. 9, M. Picaret presents a masterly study of the intellectual and religious life of Pope Sylvester II.—*Gerbert, un Pape Philosophe d'après l'Histoire et d'après la Légende* (Paris, Leroux).

MODERN EUROPEAN HISTORY.

M. Albert Waddington has completed his careful and scholarly work on *La République des Provinces-Unies, la France et les Pays-Bas Espagnols de 1630 à 1650*, by the publication of the second volume (Paris, Masson, pp. 433), which extends from 1642 to 1650.

A translation of Seignobos' *Political History of Modern Europe*, edited by Professor S. M. Macvane, of Harvard University, is announced by Messrs. Henry Holt and Co.

Noteworthy articles in periodicals: H. E. Dosker, *John of Barneveldt, Martyr or Traitor* (Presbyterian and Reformed Review, April); H. Havelock, *The Cossacks in the Early Seventeenth Century* (English Historical Review, April).

GREAT BRITAIN AND IRELAND.

Sir William Fraser, who had previously published a sumptuous book on the Johnstones, earls and marquises of Annandale, has prepared for the *Fifteenth Report of the Historical Manuscripts Commission* (Appendix, Part IX.) a calendar of the manuscripts of J. J. Hope Johnstone, Esq., of Annandale. The collection embraces, among other papers, a series of early charters, a large number of royal and other official letters of the sixteenth and seventeenth centuries, and the correspondence of the first Marquis of Annandale and of his brother-in-law, the eighteenth earl of Crawford.

The Commission has also issued its first volume of *Reports on Manuscripts in the Welsh Language*, edited by Mr. Gwenogvryn Evans. This volume is devoted to the manuscripts of Lord Mostyn at Mostyn Hall. Especially noteworthy among them is a history of England and Wales, by Ellis Griffith, a soldier at Calais and an eye-witness of many interesting events *temp.* Henr. VIII.

Sir James H. Ramsay, whose *Lancaster and York* appeared a few years ago, is now about to publish a work in two volumes, entitled *Foundations of England*, in which he will treat of the portions of English history anterior to 1399. The book will be published by Messrs. Swan, Sonnenschein and Co.

In view of the approaching celebration of the thousandth anniversary of King Alfred's death, Miss Mary Rosamond Earle, of Newnham College, is preparing an edition of all his writings.

Professor W. Lewis-Jones, of the University College of North Wales, is engaged on an exhaustive study of the Arthurian legend, preparatory to issuing an edition of the oldest text of Geoffrey of Monmouth's *Historia Britonum*.

Major Martin A. S. Hume's *The Great Lord Burghley: a Study in Elizabethan Statecraft* will be issued in the autumn by Messrs. James Nisbet and Co.

Sir James Marwick, town clerk of Glasgow, the originator of the Scottish Burghs Record Society and editor of most of its publications, has just completed a work which will probably form the last to be issued by the Society. This work traces the constitutional history of the city from its origin to the year 1650.

The Society for Promoting Christian Knowledge is publishing *Two Hundred Years: The History of the Society for Promoting Christian Knowledge*, 1698–1898, by Rev. W. O. B. Allen and Rev. Edmund M'Clure, the secretaries of the society. The work is largely based on the records, letter-books, reports and minutes of the society since its foundation, and will throw much light on the history of the Church of England during the eighteenth century, the early history of the plantations in America, and the emigration of the Salzburg exiles.

The Scottish History Society has just published *The Journals and Papers of John Murray of Broughton*, who was secretary to Prince Charles Edward during the time of the Jacobite rising of 1745, edited by Mr. R. Fitzroy Bell. The Society will also publish the *Accompt-Book* (note-book or diary) *of Bailie David Wedderburne*, merchant of Dundee, 1580–1630.

The Nelson papers, chiefly descending from Lady Nelson, which *Literature* has brought to public notice, are continued in the issues for March 23, April 6, April 20, and May 4, and apparently concluded.

Noteworthy articles in periodicals: A. Snow, *Craft Guilds in the Fifteenth Century* (Dublin Review, April); *English Jesuits and Scottish Intrigues, 1581–82* (Edinburgh Review, April).

FRANCE.

A French annual "Poole's Index" is being prepared by M. D. Joordel, and will be published at Paris by Nilsson. It will be entitled *Répertoire Bibliographique des principales Revues françaises pour l'Année*, —and will comprise an author- and subject-index to the articles in 142 French periodicals.

The second volume of M. P. Viollet's *Histoire des Institutions Politiques et Administratives de la France* (Paris, Larose), presents an admirable summary of the history of French institutions from the tenth to the sixteenth century, dealing with royalty and the administrative organs which surrounded it, with the church and the clergy, and with the nobility.

In the *Collection de Textes pour servir à l'Enseignement de l'Histoire* (Paris, Picard), M. A. Bouillet publishes the *Liber Miraculorum S. Fidis*, invaluable for the social and economic history of southern France in the eleventh century. The text is from a Schlettstadt manuscript, with collation of eight others, and the edition is scholarly.

An important study of the intellectual life of the twelfth century is presented by M. A. Dieudonné in his recent book called *Hildebert de Savardin, évêque du Mans, archevêque de Tours, sa Vie, ses Lettres* (Paris, Picard, pp. 303), based upon a critical recension of the very interesting letters of that prelate.

We are able to be more precise than in our last number with respect to Denifle and Chatelain's *Chartularium Universitatis Parisiensis*. The fourth volume having contained simply the texts relative to the internal history of the university during the years from 1394 to 1452, the fifth will present those of the same period which relate to the Great Schism and the ecumenical councils of the fifteenth century and to the affairs of Wyclif, the Hussites and Jean Petit. The second volume of the *Auctarium* has been published and contains the continuation of the book of the proctors of the English (German) nation from 1406 to 1466.

Out of the abundant archives of La Roche-Guyon, M. E. Rousse has composed an instructive and faithful picture of provincial feudal society in the last days of French feudalism, *Une Famille Féodale aux XV^e^ et XVI^e^ Siècles : Les Scilly, Seigneurs de la Roche-Guyon* (Paris, Hachette).

M. de Félice adds to his excellent treatise on the Huguenots, *Les Protestants d'autrefois, Vie intérieure des Églises, Mœurs et Usages*, a second volume (Paris, Fischbacher, pp. 368) especially devoted to the pastors, their characteristics and the circumstances of their life, all treated upon the basis of minute and learned researches.

One of the most noted of the French economists of the last century, but one of whose life little has hitherto been known, was Claude Vincent de Gournay, merchant, marquis and *intendant du commerce*. M. G. Schelle has now printed an adequate life of him, *Vincent de Gournay* (Paris, Guillaumin, pp. 300).

The most notable recent book of Napoleonic history would appear to be M. Arthur Chuquet's *La Jeunesse de Napoléon : Brienne* (Paris, Armand Colin, pp. 494), which is in a sense a continuation, at least a natural consequence, of his eleven volumes on *Les Guerres de la Révolution*.

M. Saige, archivist to the Prince of Monaco, has published an interesting and valuable general history of that small independent state, *Monaco, ses Origines et son Histoire, d'après les Documents Originaux* (Paris, Hachette).

Noteworthy articles in periodicals: Abbé Vacandard, *Les Élections Épiscopales sous les Mérovingiens* (Revue des Questions Historiques, April); P. Imbart de la Tour, *Les Paroisses Rurales dans l'Ancienne France*, III. (Revue Historique, May); P. Fournier, *Yves de Chartres et le Droit Canonique*, II. (Revue des Questions Historiques, April); H. Pirenne, *Villes, Marchés et Marchands au Moyen Age* (Revue Historique, May); G. Syveton, *Louis XIV. et Charles XII.*, I. (Revue d'Histoire Diplomatique, 1898, 2); G. W. Prothero, *The Parlement of Paris* (English Historical Review, April); A. de Ganniers, *Le Maréchal de Luckner et la Première Campagne de Belgique en 1792, d'après les Documents du Dépôt de la Guerre* (Revue des Questions Historiques, April); F. Masson, *Les Bonaparte et le Consulat à Vie*, 1802 (Revue de Paris, February 15); Baron du Casse, *Le 5^e^ Corps de l'Armée d'Italie en 1859*, II. (Revue Historique, May).

ITALY, SPAIN, PORTUGAL.

Upon the basis of the voluminous police reports of 1814 and 1815 in the archives formerly belonging to the grand-duchy of Tuscany, Signor G. Marcotti, in his *Cronache Segrete della Polizia Toscana* (Florence, G. Barbéra) has constructed a valuable and interesting picture of political life and movements in Tuscany during those two important years.

From March 18 to April 10 an *Esposizione del Risorgimento* was held at Milan, intended to commemorate the fiftieth anniversary of the Five

Days. The municipal government, the Museo del Risorgimento, the Società Storica Lombarda, and other organizations co-operated in the commemoration, and in the exhibition of documents, books, pictures and relics illustrating the revolutionary events of 1846–1848.

Signor Cristoforo Manfredi has gathered out of the archives of the Italian general staff the material for an excellent book on *La Spedizione Sarda in Crimea nel 1855–56* (Rome, Enrico Voghera).

The house of Hoepli at Milan have brought out a second edition of Signor Francisco Bertolini's *Storia del Risorgimento Italiano*, to which the author has added two new chapters, on the relations between Italy and France since 1870 and on the colony of Eritrea respectively.

Upon the basis of a very ample collection of documentary materials, Don Manuel Danvila has begun the publication of an elaborate *Historia Crítica y Documentada de las Comunidades de Castilla*. The first volume (of six) has already appeared.

The eighth volume of Señor M. de Olivart's *Coleccion de Tratados, Convenios y Documentos Internacionales*, the second for the reign of Alfonso XII., presents, with the usual historical notes, the documents for the period extending from 1880 to November, 1885.

Señor W. E. Retana has published a third volume of his *Archivo del Bibliófilo Filipino* (Madrid, pp. 564), containing a general report on the Philippines made in 1583 by Domingo de Salazar, first bishop of the islands, an account of China and its relations to the Philippines, which the bishop sent to Philip II. in 1590, a description of the maps and plans of the islands possessed by the Archives of the Indies, and a further installment of Señor Retana's bibliography of the group.

Senhor Zeferino Brandão is preparing a careful monograph on the Prior of Crato and the conquest of Portugal by Philip II.

Noteworthy articles in periodicals: J. Guiraud, *Rome, Ville Sainte au I^er^ Siècle* (Revue d'Histoire et de Littérature Religieuses, III. 1); K. Zeumer, *Geschichte der wisigothischen Gesetzgebung*, I. (Neues Archiv., XXIII., 2); W. F. Tilton, *The Fate of the Spanish Armada* (Century Magazine, June); F. P. Badham, *Nelson and the Neapolitan Republicans* (English Historical Review, April); A. Stern, *Der Versuch des Staatsstreiches Ferdinand VII. von Spanien im Juli 1822* (Historische Vierteljahrschrift, n. f., III. 1).

GERMANY, AUSTRIA, SWITZERLAND.

The "Versammlung deutscher Historiker" was held this year at Nuremberg, on April 11–13. The principal subjects discussed were the organization and accessibility of archives; the archives of the Vatican; the medieval colonization of eastern Germany; the origins of seigniorial property in Germany, etc.

The provincial historical commission for Styria has adopted a plan for the publication of a comprehensive work on the constitutional and

administrative history of that province, in a series of separate parts entitled *Forschungen zur Verfassungs- und Verwaltungsgeschichte der Steiermark*. Two parts have already appeared, a volume by Professor F. von Krones on the constitutional and administrative history of the mark and duchy from the earliest times to the accession of the Hapsburgs, and one by Fr. Ilwof on the counts of Attems.

Under the general editorship of Professor Richard Schröder the Prussian Academy of Sciences has entered upon the compilation of a comprehensive and scientific *Wörterbuch der deutschen Rechtssprache*.

A historical commission for Alsace-Lorraine has been established. The publication of a chronicle of Metz and of cartularies of Strassburg and Metz is contemplated.

P. Kalkoff, who has already published an annotated translation of the despatches of Aleander, has now printed in the *Schriften des Vereins für Reformationsgeschichte*, Heft 59 (Halle, Niemeyer), translations of the other contemporary accounts of Luther at Worms, written in other languages than German. They are accompanied with notes and introductions as to the various ambassadors, etc.

The association which has charge of the Zwingli Museum at Zurich has begun the publication of a semi-annual journal called *Zwingliana*, devoted to the history of Zwingli and of the Reformation.

M. Rodolphe Reuss has published, as a part of the Bibliothèque de l'École des Hautes Études (Paris, Bouillon), the first of two volumes of a highly important history of *L' Alsace au XVII^e Siècle*, in which he intends to present a full and careful picture of the material, religious and moral life of that province from 1618 to 1697. The first volume treats with great impartiality the political history of the country and its subdivisions during the Thirty Years' War and the first years of the French rule, with minute attention to the history of the administration and of economic life.

Professor W. A. S. Hewins, of London, will probably have ready in the autumn a *History of German Commercial Policy*, based upon some of his lectures at the School of Economics.

The *Deutsche Revue* began in its February number the publication of a series of letters, important for the German history of the years from 1847 on, which passed between the Prince Consort Albert and Bunsen.

Students of modern German history will surely give a hearty welcome to the new biographical annual edited by A. Bettelheim and published at Berlin by G. Reimer, under the title *Biographisches Jahrbuch und Deutscher Nekrolog*. The first volume (pp. 77, 463) consists of two parts, the first containing various biographical matter and a bibliography of biography for the year 1896, while the second presents biographies, prepared with unusual care, of Germans who died in that year. The names are numerous, the principle of selection catholic, and the volume certain to be of permanent value.

Noteworthy articles in periodicals: G. Seeliger, *Volksrecht und Königsrecht?* (Historische Vierteljahrschrift, n. f., III. 1); E. Dümmler, *Studien über Hrabanus Maurus* (Sitzungsberichte der k. preuss. Akademie der Wissenschaften, 1898, 3); F. von Bezold, *Die ältesten deutschen Universitäten in ihrem Verhältnis zum Staat* (Historische Zeitschrift, LXXX. 3); K. Müller, *König Sigmunds Geleit für Huss* (Historische Vierteljahrschrift, n. f., III. 1); H. Pechtl, *Joseph II. und die Staatsbeamten seiner Zeit*, I. (Zeitschrift für Kulturgeschichte, V. 4, 5).

AMERICA.

Mr. J. N. Larned, of the Buffalo Public Library, whose *History for Ready Reference* has found a place of much usefulness in many libraries, has undertaken, at the instance of Mr. George Iles, to prepare an annotated bibliography of American history, similar to that which Messrs. Sturgis and Krehbiel prepared for the literature of the fine arts. It is to comprise about a thousand titles, which, by the co-operation of expert scholars, will be accompanied with notes expressing an estimate of the character and value of each.

The house of Félix Alcan, of Paris, announces a *Histoire des États Unis d' Amérique*, by Professor Adolphe Cohn of Columbia University.

Mr. A. P. C. Griffin, assistant librarian of Congress, has prepared a valuable *List of Books relating to Cuba*, which has been printed as Senate Document No. 161 of the Second Session of the 55th Congress. It is accompanied with a bibliography of maps by Mr. P. Lee Phillips.

The concluding volume of the *Catalogue of the Rawlinson Manuscripts*, by Mr. W. D. Macray of the Bodleian Library, may be expected to contain much material relating to America, and an exhaustive index of persons, places and things mentioned in the five volumes now brought to conclusion.

Francis P. Harper, of New York, announces the commencement of a new series of historical works under the editorship of Dr. Elliott Coues, to be entitled *The American Explorers Series*. The first volume, now ready, is the Journal of Jacob Fowler, describing his travels from Fort Smith to the Rocky Mountains and back in the years 1821 and 1822. The second volume, to be issued in the autumn, will contain the personal narrative of Charles Larpenteur, for forty years a fur-trader on the upper Missouri.

In Vol. V. of the *Harvard Studies and Notes in Philology and Literature*, and in *Americana Germanica*, Vol. I. No. 4, Professor Kuno Francke exhibits a curious relation of German pietism to American history by printing a correspondence maintained by August Hermann Francke and Cotton Mather.

In the philological and literary series of the *Bulletin of the University of Wisconsin*, Dr. William B. Cairns, instructor in rhetoric in that university, presents an accurate and instructive essay of 87 pages *On the*

Development of American Literature from 1815 to 1833, with especial reference to periodicals, of which the appendix presents an exhaustive bibliographical list.

The seventh volume of the *Compilation of the Messages and Papers of the Presidents*, 1789–1897, published by authority of Congress, and edited by Mr. J. D. Richardson, covers the period from March 4, 1869, to March 4, 1881.

The fifth volume of the *Documentary Sources* of the *Publications* of the Maine Historical Society, now ready for delivery, comprises early documents relating to Maine. It is published under the editorial care of Mr. James Phinney Baxter.

The *Tenth Report on the Custody and Condition of the Public Records* of parishes, towns and counties in Massachusetts, by Mr. Robert T. Swan, Commissioner, contains, beside the usual matter, 189 pages of historical data relating to churches, parishes, precincts and religious societies, present and past, in Massachusetts.

In the *Proceedings of the American Academy of Arts and Sciences* for February, Mr. Andrew McFarland Davis has a scholarly paper entitled "Certain Considerations Concerning the Coinage of the Colony and Public Bills of Credit of the Province of Massachusetts Bay."

The *Life and Work of Thomas Dudley, the Second Governor of Massachusetts*, by Mr. Augustine Jones, is announced for publication by subscription by Messrs. Houghton, Mifflin and Co.

The Nantucket Historical Association has issued in a pamphlet of 96 pages, edited by Mr. Myron S. Dudley, the *Timothy White Papers*, 1725–1755. The documents are largely accounts and lists, but some letters and biographical memoranda are included. Timothy White was the organizer of the first Congregational Church in Nantucket, and was for many years its pastor, and a preacher to the Indians on the island, and a schoolmaster, and in some degree a business man, so that his records, along with Mr. Dudley's historical introduction, are an important contribution to the island's early history. Plates of the old North Vestry and of the interior plan of the first meeting-house accompany the volume.

The legal history of the Narragansett Indians and their relations to the colony and state of Rhode Island are treated with great learning in a pamphlet entitled *Opinion of the Justices of the Supreme Court relative to Chapter 800 of the Public Laws*, prepared by Mr. Justice Rogers, and printed by the state printers (pp. 85).

Dr. Thomas W. Bicknell announces an elaborate *History of the Town of Barrington, R. I., from the Visit of the Northmen to the Present Time*, to be published by the author at Providence, R. I.

The *Bulletin of the New York Public Library* has continued its careful calendar of the material in the Emmet collection relating to the signers of the Declaration of Independence and of the members of the

Continental Congress, as well as its texts of President Washington's copy-press letters. The February number gave a list of the manuscript accessions of the Library in 1895, 1896 and 1897. The April number contains a list of the periodicals, collections and society publications relating to American history and genealogy taken in the New York Public Library and in that of Columbia College, so extensive as to occupy 35 pages of print.

In the *Columbia University Bulletin* for March Dr. Harry A. Cushing begins a historical account of King's College in the Revolution.

The April number of the *Pennsylvania Magazine of History* contains, beside its continued articles, two pieces of very considerable value: the journal of Major Henry Livingston, of the third New York Continental Line, kept from August to December, 1775, now edited by Mr. Gaillard Hunt, of the Department of State, and a scholarly and valuable article by Mr. Oliver Hough on Capt. William Crispin, who was William Penn's commissioner for settling the colony in Pennsylvania, and whose activity, though confined to England, was of considerable importance in the early days of the province. Mr. Herbert Friedenwald's valuable account of the journals and papers of the Continental Congress was completed in the January number.

The April number of the *Publications* of the Southern History Association contains two articles of great interest: an elaborate account of the history of anti-slavery sentiment in the South, by Dr. Stephen B. Weeks, and a journal of a voyage to Charleston taken in 1765 by Pelatiah Webster.

The April number of the *William and Mary College Quarterly* contains a brief account of the legal history of the Northern Neck, papers on Indian slaves and various county committees, and the usual amount of genealogical matter.

The Davidson College Historical Association of Davidson, N. C., has begun the issue of a series of pamphlets called *Studies in History*. In the first number the most notable contents are an article by F. F. Rowe on the question, Was Marshal Ney in America? and an article on the battle of Ramsour's Mill by Gen. R. Barringer.

Mr. A. S. Salley, Jr., of Orangeburg, S. C., a most careful antiquary, has just brought out a *History of Orangeburg Co., S. C.*, extending through the Revolution (pp. 572) and giving especial attention to the social and military aspects of his subject.

In the *Johns Hopkins University Studies*, Mr. Henry E. Chambers presents an interesting and careful study of West Florida and its relation to the Historical Cartography of the United States.

The latest of the *Parkman Club Publications* are A Moses of the Mormons, an account of Stang, by Henry E. Legler; Claude Jean Allouez, Apostle of the Ottawas, by Joseph S. Laboule, and Negro Slavery in Wisconsin and the Underground Railroad, by John N. Davidson.

The State Historical Society of Wisconsin has issued an interesting little pamphlet containing the story of its growth and a description of its new building, accompanied by views and plans. The *Proceedings* of the Society at its Forty-fifth Annual Meeting contains, beside the usual record of enterprise and prosperity, a bibliographical account of the Wisconsin constitutional conventions by Miss Florence E. Baker, and a notice of Ichabod Codding.

The Mercantile Library of St. Louis has printed in a small pamphlet of 22 pages a chronological list of its Missouri and Illinois newspapers, 1808 to 1897, and a calendar of its manuscripts relating to Missouri and Louisiana.

The *Quarterly of the Texas State Historical Association* contained in its January number an article on Cabeza de Vaca, suggesting a route for his journey differing from that usually accepted, by Miss Brownie Ponton and Mr. B. H. McFarland. Father E. J. P. Schmitt writes of the Sieur Louis de St. Denis, a subject which is resumed by Mr. L. G. Bugbee in the April number. The latter also contains a full account of the establishment of the University of Texas, by the president of the association, Judge O. M. Roberts.

Mr. W. F. McCaleb of Texas, fellow in the University of Chicago, has leave to spend much of next year in investigations in the archives of Mexico relating to the history of Texas before its revolution.

The Gammel Book Company, of Austin, Texas, has undertaken to reprint, in a complete edition, extending to ten volumes, the laws of Texas from 1822 to 1897.

Professor F. G. Young, of the University of Oregon, has begun the publication of a modest and useful series of pamphlets for the use of students and teachers in that state, entitled *Sources of the History of Oregon*. The first number consists of the journal of Medorem Crawford, who was prominent among the early settlers. It presents an account, apparently the only journal preserved, of the trip which the writer made across the plains with the Oregon pioneers of 1842 under the lead of Dr. Elijah White. The second number is a reprint of a journal of the Indian Council of Walla Walla, held in May and June, 1855. The journal, kept by Col. Lawrence Kip, U. S. A., was printed in a small edition in 1855. Brief introductions are supplied by the editor, whose venture is an eminently commendable and useful one.

M. Georges Pariset, professor in the University of Nancy, has prepared from the printed materials a careful study entitled *Histoire Sommaire du Conflit Anglo-Vénézuélien en Guyane, de 1493 à 1897* (Berger-Levrault, pp. 79).

Noteworthy articles in periodicals: *Civil and Religious Liberty in the United States, 1600–1800* (London Quarterly, April); H. L. Osgood, *The American Revolution* (Political Science Quarterly, March); E. R. Johnson, *The Consular Service, 1776–1792* (Political Science Quarterly,

March); A. B. Hart, *A Century of Cuban Diplomacy* (Harper's Magazine, June); R. O. Crowley, *The Confederate Torpedo Service* (Century Magazine, June); A. Hiller, *History of the Lutheran Church in New Jersey* (Lutheran Quarterly, April).

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